

viding penalties for violation of this Act; providing that this Act shall not amend House Bill No. 1059, Acts of the Forty-seventh Legislature, Regular Session, authorizing counties to appropriate funds for Child Welfare Services; providing a title for this Act; repealing Article II of House Bill No. 8, Acts Forty-fourth Legislature, Third Called Session; repealing House Bill No. 26, Acts Forty-fourth Legislature, Second Called Session; repealing Senate Bill No. 9, Acts Forty-sixth Legislature, Regular Session; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1099, "An Act making an appropriation for the support and maintenance of the Bedding Division of the State Department of Health for the two-year period beginning September 1, 1941, and ending August 31, 1943, and for other purposes and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

ONE HUNDREDTH DAY

(Wednesday, July 2, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bray
Allen	Bridgers
Allison	Brown
Alsup	Bruhl
Avant	Bundy
Bailey	Burkett
Baker	Burnaman
Bell	Carlton
Benton	Carrington
Blankenship	Cato
Brawner	Celaya

Chambers	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McAlister
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dickson of Nolan	Manning
Donald	Markle
Duckett	Matthews
Dwyer	Mills
Ellis	Montgomery
Eubank	Moore
Favors	Morgan
Ferguson	Morris
Files	Morse
Fitzgerald	Murray
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Goodman	Price
Halsey	Rampy
Hanna	Reed of Bowie
Hardeman	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Rhodes
Harris of Hill	Roark
Hartzog	Roberts
Heflin	Sallas
Helpinstill	Senterfitt
Henderson	Shell
Hileman	Simpson
Hobbs	Skiles
Howard	Smith of Bastrop
Howington	Smith of Atascosa
Hoyo	Spacek
Huddleston	Spangler
Hughes	Stanford
Humphrey	Stinson
Hutchinson	Stubbs
Isaacks	Taylor
Jones	Thornton
Kelly	Turner
Kennedy	Vale
Kersey	Voigt
Kinard	Walters
King	Wattner
Klingeman	Weatherford
Knight	White
Lansberry	Whitesides
Lehman	Williamson
Leyendecker	Winfree
Little	
Dove	Absent
	Huffman

Sharpe

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, the revelation of Thy love and Thy providence is written large in our State and National History. Not because of our merit, but because of Thy good purpose in us, are we spared and blessed to this day. Give us ears to hear and eyes to see our relation to Thee; and strengthen us to carry out Thine own good will in these days. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Boone for today, on motion of Mr. Goodman.

Mr. Daniel for today, on motion of Mr. Favors.

Mr. Martin for today, on motion of Mr. Hobbs.

Mr. Bean for today, on motion of Mr. Kersey.

The following Members were granted leaves of absence on account of illness:

Mr. Evans for today, on account of death in family, on motion of Mr. Benton.

Mr. Morse, temporarily for today, on motion of Mr. Little.

HOUSE BILLS ON FIRST READING

Mr. Reed of Dallas asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1106.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Reed of Dallas:

H. B. No. 1106, A bill to be entitled "An Act amending Senate Bill

No. 402 of this the Forty-seventh Legislature of the State of Texas to provide that where United States aid is received on any project for eleemosynary institutions, the completion of which extends beyond the end of the fiscal year for which monies have been appropriated, that any unexpended appropriated balance may be used during the next fiscal year to complete the project."

Referred to the Committee on Appropriations.

Mr. Bray moved to introduce at this time and have placed on first reading House Bill No. 1107.

The motion prevailed.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Bray:

H. B. No. 1107. A bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand (\$50,000) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

Referred to the Committee on Appropriations.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

June 30, 1941.

To Members of the Forty-seventh Legislature:

I am today approving Senate Bill No. 423, the bill making appropriations for the various departments of government.

In my judgment, the appropriation for the Agricultural Department is excessive, but the bill is so drawn that it would be only a waste of time for the Governor to veto individual items, for the reason that the appropriation bill lists the following funds: Citrus Grading Fund, Citrus

Fruit Inspection Fund, Cotton Seed Inspection Fund, Jack and Stallion Fund, and Agricultural Protective Act Fund. The revenue accruing to these funds in 1940 amounted to \$220,005 and in the bill all of the revenue which may accrue during the coming biennium, is appropriated to this department and, in addition any balances which may remain in these funds at the end of the present biennium, are so appropriated.

So it is very obvious that when all of these funds are appropriated to the department, if the Governor should veto any item in the itemized appropriation bill, the department could render the veto totally ineffective by simply putting on a temporary employee or by utilizing these funds to cover any other item vetoed. Therefore, notwithstanding the fact that I believe the appropriation for this department is excessive, I have not vetoed any items.

I have not vetoed any item of appropriation for the Texas Liquor Control Board for the reason that the way the bill is drawn the vetoing of any item would, in my judgment, be entirely ineffective because the appropriation bill is so drawn that, in addition to the items covered in this appropriation, all of the revenue derived from the tax on liquor prescriptions is appropriated to and made available for the use of the board. Therefore, by the simple process of employing what would be called temporary help, the Liquor Control Board could make ineffective any veto which the Governor might make of the bill. It seems to me that, as the bill is drawn, there is practically no limit to the amount of money which may be expended by the Texas Liquor Control Board, except as that limit would come from the sum total of revenue which would be available from tax funds. But certainly as the bill is written you cannot limit what they would spend by the vetoing of any individual items in the appropriation bill.

I think my desire to see the liquor laws in Texas enforced to the fullest extent is well known, but I certainly do not believe that the wide discretion of spending money, which this bill grants to the Liquor Control Board, should be permitted, but, as

the bill is drawn, there is nothing the Governor can do about it.

I do not believe that there is any other department of the State Government where there is more need for change in the method of spending public funds than exists in the Game, Fish and Oyster Commission. This appropriation bill provides for a far greater number of employees than the Commission now has and I think the number which the Commission now has, is excessive. But the Legislature is passing this bill appropriated to the Game, Fish and Oyster Commission all of the revenue which will accrue during the coming biennium from the special Game Fund; Fish Propagation and Protection Fund; Medina Lake Fund; Sand, Shell and Gravel Fund; Fish and Oyster Fund; the Lake Worth-Eagle Mountain Lake Fund; and it also provides not only that they could expend all revenue derived from these funds during the coming biennium, but it further provides that they could expend any balances which may exist in these funds at the end of the current biennium.

At the end of the last fiscal year these funds had something more than \$127,000. It is easy to see, therefore, that when the Appropriation Bill simply cleans out the treasury insofar as these funds are concerned, and appropriates any and all balances which may be on hand at the end of this biennium and then, in addition, appropriates all of the money which will accrue to these funds during the coming biennium and leaves it to the discretion of the Commission to spend the money, with no limitation except that the money shall be expended for purposes stated in existing law, and that if additional employees are selected, they shall be temporary, with this wide open authority to the Commission, certainly it would be a waste of time to veto any individual items. Therefore, none have been vetoed.

If it was the desire of the Legislature to write the Appropriation Bill for this department so that the Governor could not effectively veto any item unless he vetoed the entire appropriation for the department, they did a good job because that is exactly the condition in which the bill is.

I call the attention of the Legisla-

ture, however, to this fact: Expenditures of this Commission for the year ending August 31, 1940, totaled \$602,549; of that amount \$317,460 was expended for salaries; \$149,005 was expended for travel expenses; the total for these two items of expenditures was \$466,465, leaving a total of \$136,048 for other expenditures; and of this remaining amount, it was expended for the following purposes; rent, advertising, etc., \$23,665; supplies, \$47,559; repairs, \$18,784; acquisition of property, \$22,257; making a total of \$112,265. Now we get down to how much was spent for the purchase of game and feed for game and fish and you find this astounding low figure, \$19,268.

Is it any wonder that no progress is being made in replenishing game on the farms and ranches of this State? Is there any wonder that so little progress is being made in replenishing fish in the inland lakes and small streams of this State? When out of a total expenditure of \$602,549, only \$19,263 was expended for the purchase of game and feed for game and fish.

I think if properly handled, the Game, Fish and Oyster Commission could become one of the most valuable departments of the State Government. I believe that if we could restock the quail all over this State; if we could fill our inland lakes and small streams with fish; if we could re-stock the wild turkeys and the deer, not in just a few private game preserves to serve the favored few, but if we could carry out such a policy to cover the whole State, it would be one of the greatest assets the State of Texas could have and it would yield a definite return in dollars and cents. But so long as that does not exist; so long as the great bulk of the money appropriated is expended to hire more and more people to do more and more traveling, just that long, I think, the department will continue to fail to perform its proper duties. But the Appropriation Bill is so written that nothing would be gained by vetoing individual items and having them immediately re-instated. All I can do, as Governor, is to call the facts of the situation to the attention of the public, with the hope that some

future Legislature may do something to change this situation.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Stubbs (on yesterday), offered the following resolution:

H. S. R. No. 366, Extending Congratulations of the House to Honorable J. W. Gandy.

Whereas, The Members of the House of Representatives have learned that July 1, 1941, marks another milestone in the life's journey of our beloved Member, the Honorable J. W. (Coon Creek) Gandy; and

Whereas, It is the unanimous hope and wish of the Members of the House of Representatives that this esteemed colleague live and serve long in his capacity as a public servant; and

Whereas, His service as a Member of the House of Representatives has been such as to make him an outstanding figure in the public life of the Great State of Texas; now, therefore, be it

Resolved, That we, the Members of the House of Representatives, wish him a very happy birthday and best wishes for continued health and happiness and that a copy of this resolution be furnished him by the Chief Clerk of the House.

STUBBS,
TURNER.

The resolution was read second time.

Signed—Leonard, Speaker, Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Help-

instill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rappy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Taylor, Thornton, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Wattner, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

RELATIVE TO HOUSE BILL NO. 1100

On motion of Mr. Manning, and by unanimous consent of the House, the engrossing clerk was authorized to make certain corrections in House Bill No. 1100.

RELATIVE TO RESOLUTION PERIOD

Mr. Hartzog moved that the House dispense with the consideration of resolutions at this time.

The motion was lost.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Hardeman offered the following resolution:

H. S. R. No. 368, Extending Congratulations of the House to the Staff of the State Tuberculosis Sanatorium.

Whereas, The State Tuberculosis Sanatorium was established by the Legislature a few miles north of San Angelo and formally opened on July 4, 1912; and

Whereas, It has grown from a small capacity of fifty-seven beds to an institution of more than one

thousand beds with the third largest bed-capacity among state sanatoria in the United States, under the direction of Dr. J. B. McKnight, who has served as superintendent since 1914; and

Whereas, Approximately 30,000 Texans have received treatment for tuberculosis at the State Sanatorium; now, therefore, be it

Resolved, by the House of Representatives, That we extend the congratulations of the House to the staff and patients of the State Sanatorium on its twenty-ninth anniversary and that the Chief Clerk of the House be directed to forward a copy of this resolution to the Superintendent of the Sanatorium under the Seal of the House.

The resolution was read second time and was adopted.

EXPRESSING LEGISLATIVE INTENT IN REGARD TO MERIT RATING SYSTEM

The Speaker laid before the House, as unfinished business, House Concurrent Resolution No. 281, by Mr. Carrington, Expressing Legislative Intent in Regard to Present Employees Under Merit Rating System.

The resolution having heretofore been read second time.

(Mr. Morris in the Chair.)

Mr. Bailey raised a point of order on further consideration of the resolution at this time, on the ground that the resolution attempts to amend the statutes by resolution.

The Chair overruled the point of order.

Mr. Humphrey raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair overruled the point of order.

Mr. Pace moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—68		Absent	
Allison	Kennedy	Bruhl	Huddleston
Avant	Kinard	Burnaman	Huffman
Bailey	Klingeman	Celaya	Kersey
Baker	Knight	Colson, Mrs.	Ridgeway
Bell	Lehman	Dwyer	Sharpe
Benton	Lock	Files	Spangler
Blankenship	Lowry	Gandy	Stubbs
Bray	McCann	Hardeman	Vale
Bundy	McDonald	Hargis	Voigt
Burkett	McMurry	Harris of Dallas	Williamson
Cato	Manford	Hartzog	Winfree
Chambers	Manning	Hoyo	
Craig	Markle	Absent—Excused	
Crossley	Montgomery	Bean	Evans
Dickson of Bexar	Pace	Boone	Martin
Dickson of Nolan	Parker	Bullock	Morse
Donald	Pevehouse	Daniel	Nicholson
Duckett	Phillips	RELATIVE TO HOUSE CONCURRENT RESOLUTION NO. 277	
Eubank	Price	Mr. Manning moved to suspend the Rules in order that a motion may be made to reconsider the vote by which House Concurrent Resolution No. 277 was adopted.	
Ferguson	Rampy	The motion to suspend the Rules prevailed.	
Fitzgerald	Rhodes	Mr. Manning then moved to reconsider the vote by which House Concurrent Resolution No. 277 was adopted.	
Fuchs	Roark	The motion to reconsider prevailed.	
Garland	Roberts	Question: Shall House Concurrent Resolution No. 277 be adopted?	
Gilmer	Sallas	Mr. Manning moved to lay the resolution on the table subject to call.	
Goodman	Senterfitt	The motion prevailed.	
Halsey	Simpson	MESSAGE FROM THE SENATE	
Heflin	Skiles	Austin, Texas, July 2, 1941.	
Hileman	Smith of Atascosa	Hon. Homer Leonard, Speaker of the House of Representatives.	
Hobbs	Spacek	Sir: I am directed by the Senate to inform the House that the Senate has passed the following:	
Howard	Stinson	H. B. No. 1088, A bill to be entitled "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature, approved June 8, 1927, to authorize a ninety-nine-year lease to be issued to the Town of Aransas Pass, leasing Ransom Island and certain waters sur-	
Howington	Thornton		
Humphrey	Wattner		
Hutchinson	White		
Isaacks	Whitesides		
Nays—50			
Allen	Lansberry		
Alsup	Leyendecker		
Brawner	Little		
Bridgers	Love		
Brown	Lucas		
Carlton	Lyle		
Carrington	McAlister		
Clark	McGlasson		
Cleveland	McLellan		
Coker	McNamara		
Connelly	Matthews		
Crosthwait	Mills		
Davis	Moore		
Deen	Morgan		
Dove	Morris		
Ellis	Murray		
Favors	Reed of Bowie		
Hanna	Reed of Dallas		
Harris of Hill	Shell		
Helpinstill	Smith of Bastrop		
Henderson	Stanford		
Hughes	Taylor		
Jones	Turner		
Kelly	Walters		
King	Weatherford		

rounding the same, situated in Nueces County, etc.; and declaring an emergency."

Adopted

H. C. R. No. 283, Authorizing the Board of Control to execute to the State Highway Department an easement of certain property for highway purposes.

The Senate has adopted the Conference Committee report on Senate Bill No. 471 by the following vote: Yeas, 22; nays, 6.

Adopted

H. C. R. No. 284, Granting certain persons permission to sue the State.

Respectfully,

BOB BARKER,

Secretary of the Senate.

PROVIDING FOR JOINT SESSION OF THE LEGISLATURE

Mr. Bell offered the following resolution:

H. C. R. No. 286, Providing for Joint Session of the Legislature.

Whereas, The Regular Session of the Forty-seventh Legislature is rapidly drawing to a close and the Members thereof will soon return to their respective homes; and

Whereas, This Legislature has stayed in session longer than any Legislature in the history of the State of Texas; and

Whereas, Many bills of great importance have been enacted into law during this Session; and

Whereas, The presiding officers of both Houses are honest, sincere, capable, sympathetic and outstanding men and hold all the people of this great State dear to their hearts; and

Whereas, It is fitting that before the Session ends for the said presiding officers to address the Joint Session; now, therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That the President of the Senate, the Honorable Coke Stevenson, Lieutenant Governor of Texas, and the Speaker of the House, the Honorable Homer Leonard, be and are hereby invited to address a Joint Session of the House and Senate at

eleven o'clock Thursday, July 3, or at any other time convenient to them.

BELL,
HARTZOG,
TAYLOR,
MORRIS.

The resolution was read second time.

Signed—Allen, Allison, Alsop, Avant, Bailey, Baker, Bean, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crowthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Williamson and Winfree.

On the motion of Mr. Knight, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

(Speaker in the Chair.)

RELATIVE TO SENATE BILL NO. 183

Mr. Craig moved to suspend the Rules in order that a motion may

be made to reconsider the vote by which Senate Bill No. 183 failed to pass.

The motion to suspend the Rules was lost.

MOTION TO PLACE SENATE BILL NO. 505 ON THIRD READING

Mr. Kersey moved that the necessary Rules be suspended, for the purpose of taking up and considering, at this time,

S. B. No. 505, A bill to be entitled "An Act to aid Wise County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioners' precincts of said county, etc.; and declaring an emergency."

The motion was lost.

SENATE BILL NO. 498 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 498, A bill to be entitled "An Act amending House Bill No. 271, which was passed by the 47th Legislature, 1941, which became effective April 18, 1941, for the purpose of correcting a clerical error made in said bill; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 498 ON THIRD READING

Mr. Little moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 498 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Bean
Allison	Bell
Alsup	Benton
Avant	Blankenship
Bailey	Boone
Baker	Bray

Brown
Bundy
Burkett
Burnaman
Carlton
Carrington
Cato
Chambers
Clark
Cleveland
Colson, Mrs.
Connelly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Dwyer
Ellis
Eubank
Favors
Ferguson
Files
Fitzgerald
Gandy
Garland
Gilmer
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
King

Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McLellan
McMurry
McNamara
Manford
Markle
Matthews
Mills
Montgomery
Moore
Morgan
Morse
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Williamson
Winfree

Absent

Brawner	Celaya
Bridgers	Coker
Bruhl	Fuchs

Goodman
Halsey
Huffman
Manning
Morris
Murray

Pace
Sharpe
Spangler
Stanford
Voigt

Absent—Excused

Bullock
Evans

Martin
Nicholson

The Speaker then laid Senate Bill No. 498 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen
Allison
Alsup
Avant
Bailey
Baker
Bean
Bell
Benton
Blankenship
Boone
Bray
Brown
Bundy
Burkett
Burnaman
Carlton
Carrington
Cato
Chambers
Clark
Cleveland
Colson, Mrs.
Connelly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Dwyer
Ellis
Eubank
Favors
Ferguson
Files
Fitzgerald
Gandy

Garland
Gilmer
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McLellan

McMurry
McNamara
Manford
Markle
Matthews
Mills
Montgomery
Moore
Morgan
Morse
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts

Sallas
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Williamson
Winfree

Absent

Brawner
Bridgers
Bruhl
Celaya
Coker
Fuchs
Goodman
Halsey
Huffman

Manning
Morris
Murray
Pace
Sharpe
Spangler
Stanford
Voigt

Absent—Excused

Bullock
Evans

Martin
Nicholson

HOUSE BILL NO. 1095 ON
SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1095, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1095 ON
THIRD READING

Mr. Thornton moved that the Constitutional Rule requiring bills to be

read on three several days be suspended, and that House Bill No. 1095 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Henderson
Allison	Hileman
Alsup	Hobbs
Avant	Howard
Bailey	Howington
Baker	Hoyo
Bean	Huddleston
Bell	Hughes
Benton	Humphrey
Blankenship	Hutchinson
Boone	Isaacks
Bray	Jones
Brown	Kelly
Bundy	Kennedy
Burkett	Kersey
Burnaman	Kinard
Carlton	King
Carrington	Klingeman
Cato	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Leyendecker
Colson, Mrs.	Little
Connelly	Lock
Craig	Love
Crossley	Lowry
Crosthwait	Lucas
Daniel	Lyle
Davis	McAlister
Deen	McCann
Dickson of Bexar	McDonald
Dickson of Nolan	McGlasson
Donald	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manford
Ellis	Markle
Eubank	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morgan
Gandy	Morse
Garland	Parker
Gilmer	Pevehouse
Hanna	Phillips
Hardeman	Price
Hargis	Rampy
Harris of Dallas	Reed of Bowie
Harris of Hill	Reed of Dallas
Hartzog	Ridgeway
Heflin	Rhodes
Helpinstill	Roark

Roberts	Taylor
Sallas	Thornton
Senterfitt	Turner
Shell	Vale
Simpson	Walters
Skiles	Wattner
Smith of Bastrop	Weatherford
Smith of Atascosa	White
Spacek	Whitesides
Stinson	Williamson
Stubbs	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

The Speaker then laid House Bill No. 1095 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen	Daniel
Allison	Davis
Alsup	Deen
Avant	Dickson of Bexar
Bailey	Dickson of Nolan
Baker	Donald
Bean	Dove
Bell	Duckett
Benton	Dwyer
Blankenship	Ellis
Boone	Eubank
Bray	Favors
Brown	Ferguson
Bundy	Files
Burkett	Fitzgerald
Burnaman	Gandy
Carlton	Garland
Carrington	Gilmer
Cato	Hanna
Chambers	Hardeman
Clark	Hargis
Cleveland	Harris of Dallas
Colson, Mrs.	Harris of Hill
Connelly	Hartzog
Craig	Heflin
Crossley	Helpinstill
Crosthwait	Henderson

Hileman	Mills
Hobbs	Montgomery
Howard	Moore
Howington	Morgan
Hoyo	Morse
Huddleston	Parker
Hughes	Pevehouse
Humphrey	Phillips
Hutchinson	Price
Isaacks	Rampy
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Ridgeway
Kersey	Rhodes
Kinard	Roark
King	Roberts
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Shell
Lehman	Simpson
Leyendecker	Skiles
Little	Smith of Bastrop
Lock	Smith of Atascosa
Love	Spacek
Lowry	Stinson
Lucas	Stubbs
Lyle	Taylor
McAlister	Thornton
McCann	Turner
McDonald	Vale
McGlasson	Walters
McLellan	Wattner
McMurry	Weatherford
McNamara	White
Manford	Whitesides
Markle	Williamson
Matthews	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

HOUSE BILL NO. 1107 ON
SECOND READING

Mr. Bray moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1107 be placed on its second reading and pas-

sage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Hobbs
Allison	Howard
Alsup	Howington
Avant	Hoyo
Bailey	Huddleston
Baker	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Bray	Kennedy
Brown	Kersey
Bundy	Kinard
Burkett	King
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Lehman
Chambers	Leyendecker
Clark	Little
Cleveland	Lock
Colson, Mrs.	Love
Connelly	Lowry
Craig	Lucas
Crossley	Lyle
Crosthwait	McAlister
Daniel	McCann
Davis	McDonald
Deen	McGlasson
Dickson of Bexar	McLellan
Dickson of Nolan	McMurry
Donald	McNamara
Dove	Manford
Duckett	Markle
Dwyer	Matthews
Ellis	Mills
Eubank	Montgomery
Favors	Moore
Ferguson	Morgan
Files	Morse
Fitzgerald	Parker
Gandy	Pevehouse
Garland	Phillips
Gilmer	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Rhodes
Hartzog	Roark
Heflin	Roberts
Helpinstill	Sallas
Henderson	Senterfitt
Hileman	Shell

Simpson	Turner
Skiles	Vale
Smith of Bastrop	Walters
Smith of Atascosa	Wattner
Spacek	Weatherford
Stinson	White
Stubbs	Whitesides
Taylor	Williamson
Thornton	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1107, A bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand (\$50,000) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 1107 ON
THIRD READING**

The Speaker then laid House Bill No. 1107 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen	Bean
Allison	Bell
Alsup	Benton
Avant	Blankenship
Balley	Boone
Baker	Bray

Brown	Klingeman
Bundy	Knight
Burkett	Lansberry
Burnaman	Lehman
Carlton	Leyendecker
Carrington	Little
Cato	Lock
Chambers	Love
Clark	Lowry
Cleveland	Lucas
Colson, Mrs.	Lyle
Connelly	McAlister
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dickson of Nolan	Markle
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morse
Favors	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Gandy	Rampy
Garland	Reed of Bowie
Gilmer	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Spacek
Howington	Stinson
Hoyo	Stubbs
Huddleston	Taylor
Hughes	Thornton
Humphrey	Turner
Hutchinson	Vale
Isaacks	Walters
Jones	Wattner
Kelly	Weatherford
Kennedy	White
Kersey	Whitesides
Kinard	Williamson
King	Winfree

Absent

Brawner	Bruhl
Bridgers	Celaya

Coker
Fuchs
Goodman
Halsey
Huffman
Manning
Morris

Murray
Pace
Sharpe
Spangler
Stanford
Voigt

Absent—Excused

Bullock
Evans

Martin
Nicholson

**NEW CONFERENCE COMMITTEE
APPOINTED ON SENATE
BILL NO. 119**

Mr. Stanford reported to the House that the Conference Committees on Senate Bill No. 119 were unable to agree and moved that the present House Committee be discharged and a new Conference Committee be appointed to further consider the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following new Conference Committee:

Messrs. Stanford, McGlasson, Coker, Crosthwait and Lock.

**APPOINTMENT OF CONFERENCE
COMMITTEE ON HOUSE
BILL NO. 682**

The Speaker announced the appointment of the following Conference Committee on House Bill No. 682:

Messrs. Avant, Celaya, Thornton, Moore and Price.

**SENATE BILL NO. 505 ON
THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 505, A bill to be entitled "An Act to aid Wise County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioners' precincts of said county, etc.; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—67

Allison
Avant
Baker
Bell
Brown
Burnaman
Carrington
Cato
Celaya
Colson, Mrs.
Connelly
Craig
Deen
Dickson of Bexar
Donald
Dove
Duckett
Dwyer
Eubank
Favors
Fitzgerald
Gilmer
Goodman
Hardeman
Hargis
Hartzog
Heffin
Henderson
Hobbs
Howard
Hoyo
Huddleston
Hutchinson
Kelly

Kennedy
Kersey
Kinard
Knight
Lock
Love
Lowry
Lucas
Lyle
McAlister
McDonald
McGlasson
McLellan
McNamara
Manning
Markle
Montgomery
Murray
Pevehouse
Rampy
Roark
Shell
Simpson
Skiles
Smith of Bastrop
Spacek
Taylor
Turner
Vale
Weatherford
White
Whitesides
Winfree

Nays—55

Allen
Alsup
Bailey
Benton
Brawner
Bray
Bridgers
Bundy
Burkett
Carlton
Clark
Cleveland
Crossley
Crosthwait
Davis
Dickson of Nolan
Ellis
Fuchs
Gandy
Garland
Hanna
Harris of Dallas
Harris of Hill
Helpinstill

Hileman
Howington
Hughes
Humphrey
King
Klingeman
Lansberry
Lehman
McCann
Manford
Matthews
Mills
Moore
Morgan
Morse
Pace
Parker
Price
Reed of Bowie
Ridgeway
Rhodes
Roberts
Sallas
Senterfitt

Smith of Atascosa Voigt
Stinson Walters
Stubbs Wattner
Thornton

Absent

Blankenship Jones
Bruhl Leyendecker
Chambers Little
Coker McMurry
Daniel Phillips
Ferguson Reed of Dallas
Files Sharpe
Halsey Spangler
Huffman Stanford
Isaacks Williamson

Absent—Excused

Bean Martin
Boone Morris
Bullock Nicholson
Evans

Mr. Kersey moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

Mr. Harris of Hill raised a point of order on the passage of Senate Bill No. 505, on the ground that it requires a two-thirds vote to pass the bill.

The Speaker overruled the point of order.

RELATIVE TO SENATE
BILL NO. 183

Mr. Spacek moved to suspend all necessary Rules for the purpose of making a motion to reconsider the vote by which Senate Bill No. 183 failed to pass.

Mr. Morris raised a point of order on further consideration of the motion by Mr. Spacek at this time, on the ground that the motion is out of order in that it violates Rule 19 of Section V of the House Rules.

The Speaker overruled the point of order.

Mr. Alsup raised a point of order on further consideration of the motion by Mr. Spacek at this time, on the ground that the motion is equivalent to a suspension of the Joint Rules and requires a concurrent resolution.

The Speaker overruled the point of order.

The motion By Mr. Spacek was lost.

MESSAGE FROM THE SENATE

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 507, A bill to be entitled "An Act amending Senate Bill No. 402 of this, the 47th Legislature, to provide that where United States aid is received on any project for eleemosynary institutions, the completion of which extends beyond the end of the fiscal year for which moneys have been appropriated, etc.; and declaring an emergency."

S. B. No. 508, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than seventeen thousand three hundred seventy-five (17,375), according to the last preceding Federal Census, etc.; and declaring an emergency."

The Senate has concurred in House amendment to Senate Concurrent Resolution No. 86, sine die adjournment 12 o'clock noon, Thursday, July 3, 1941, by a viva voce vote.

The Senate has passed notwithstanding the objections of the Governor, H. B. No. 502, A bill to be entitled "An Act to amend Senate Bill No. 175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to authorize the purchase of additional buildings and grounds for such purposes, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same, etc.; and declaring an emergency," by the following vote: Yeas, 23; nays, 3.

The Senate has passed notwithstanding the objections of the Governor, H. B. No. 349, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas and the branches thereof, the Board of Directors of the Agricultural and Mechanical College and its branches, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers' Colleges, the Board of Directors of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries to charge students building use fees of not to exceed Five (\$5.00) Dollars per semester for the construction and equipment of buildings and power plants, the paving of streets, the purchase of land, and for other capital improvements; providing that such acquisition, equipment and construction shall be without cost to the State of Texas; providing for the issuance of negotiable revenue bonds to be secured by a pledge of such building use fees and that such bonds may be additionally secured by a pledge of the revenues from buildings and facilities of such institutions; making it the duty of the governing boards of such institutions to fix adequate fees and charges; requiring approval of such bonds by the Attorney General and prescribing the effect thereof; providing that bonds issued under this Act shall be eligible investments for the Permanent School Fund of Texas; and declaring an emergency," by the following vote: Yeas, 22; nays, 5.

Passed

H. B. No. 3, A bill to be entitled "An Act making a specific appropriation out of the General Fund of the State of Texas, not otherwise appropriated to pay a judgment, obtained by Trinity Portland Cement Co., against the State, etc.; and declaring an emergency."

Concurred in House amendments to Senate Bill No. 505 by a viva voce vote.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 507, to the Committee on Appropriations.

S. B. No. 508, to the Committee on Counties.

BILLS ORDERED NOT PRINTED

On motion of Mr. Crosthwait, Senate Bill No. 166 was ordered not printed.

On motion of Mr. Reed of Dallas, Senate Bill No. 507 was ordered not printed.

SENATE BILL NO. 507 ON SECOND READING

Mr. Reed of Dallas moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 507 be placed on its second reading and passage to third reading, and to its third third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Colson, Mrs.
Allison	Connelly
Alsup	Craig
Avant	Crossley
Bailey	Crosthwait
Baker	Daniel
Bean	Davis
Bell	Deen
Benton	Dickson of Bexar
Blankenship	Dickson of Nolan
Boone	Donald
Bray	Dove
Brown	Duckett
Bundy	Dwyer
Burkett	Ellis
Burnaman	Eubank
Carlton	Favors
Carrington	Ferguson
Cato	Files
Chambers	Fitzgerald
Clark	Gandy
Cleveland	Garland

Gilmer	McMurry
Hanna	McNamara
Hardeman	Manford
Hargis	Markle
Harris of Dallas	Matthews
Harris of Hill	Mills
Hartzog	Montgomery
Heflin	Moore
Helpinstill	Morgan
Henderson	Morse
Hileman	Parker
Hobbs	Pevehouse
Howard	Phillips
Howington	Price
Hoyo	Rampy
Huddleston	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Hutchinson	Rhodes
Isaacks	Roark
Jones	Roberts
Kelly	Sallas
Kennedy	Senterfitt
Kersey	Shell
Kinard	Simpson
King	Skiles
Klingeman	Smith of Bastrop
Knight	Smith of Atascosa
Lansberry	Spacek
Lehman	Stinson
Leyendecker	Stubbs
Little	Taylor
Lock	Thornton
Love	Turner
Lowry	Vale
Lucas	Walters
Lyle	Wattner
McAlister	Weatherford
McCann	White
McDonald	Whitesides
McGlasson	Williamson
McLellan	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 507, A bill to be entitled "An Act amending Senate Bill No. 402 of this, the 47th Legislature to provide that where United States aid is received on any project for eleemosynary institutions, the completion of which extends beyond the end of the fiscal year for which moneys have been appropriated, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 507 ON
THIRD READING

The Speaker then laid Senate Bill No. 507 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen	Favors
Allison	Ferguson
Alsup	Files
Avant	Fitzgerald
Bailey	Gandy
Baker	Garland
Bean	Gilmer
Bell	Hanna
Benton	Hardeman
Blankenship	Hargis
Boone	Harris of Dallas
Bray	Harris of Hill
Brown	Hartzog
Bundy	Heflin
Burkett	Helpinstill
Burnaman	Henderson
Carlton	Hileman
Carrington	Hobbs
Cato	Howard
Chambers	Howington
Clark	Hoyo
Cleveland	Huddleston
Colson, Mrs.	Hughes
Connelly	Humphrey
Craig	Hutchinson
Crossley	Isaacks
Crosthwait	Jones
Daniel	Kelly
Davis	Kennedy
Deen	Kersey
Dickson of Bexar	Kinard
Dickson of Nolan	King
Donald	Klingeman
Dove	Knight
Duckett	Lansberry
Dwyer	Lehman
Ellis	Leyendecker
Eubank	Little

Lock	Reed of Dallas
Love	Ridgeway
Lowry	Rhodes
Lucas	Roark
Lyle	Roberts
McAlister	Sallas
McCann	Senterfitt
McDonald	Shell
McGlasson	Simpson
McLellan	Skiles
McMurry	Smith of Bastrop
McNamara	Smith of Atascosa
Manford	Spacek
Markle	Stinson
Matthews	Stubbs
Mills	Taylor
Montgomery	Thornton
Moore	Turner
Morgan	Vale
Morse	Walters
Parker	Wattner
Pevehouse	Weatherford
Phillips	White
Price	Whitesides
Rampy	Williamson
Reed of Bowie	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

SENATE BILL NO. 166 ON
SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 166, A bill to be entitled "An Act to amend Chapter 160, page 406, Acts Regular Session of the 43rd Legislature, as amended by Senate Bill No. 99, Chapter 12, page 33, Acts Regular Session of the 44th Legislature, as amended by House Bill No. 135, Chapter 31, page 90, Acts Regular Session of the 44th Legislature; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 166 ON
THIRD READING

Mr. Crosthwait moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Hardeman
Allison	Hargis
Alsup	Harris of Dallas
Avant	Harris of Hill
Bailey	Hartzog
Baker	Heflin
Bean	Helpinstill
Bell	Henderson
Benton	Hileman
Blankenship	Hobbs
Boone	Howard
Bray	Howington
Brown	Hoyo
Bundy	Huddleston
Burkett	Hughes
Burnaman	Humphrey
Carlton	Hutchinson
Carrington	Isaacks
Cato	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Colson, Mrs.	Kinard
Connelly	King
Craig	Klingeman
Crossley	Knight
Crosthwait	Lansberry
Daniel	Lehman
Davis	Leyendecker
Deen	Little
Dickson of Bexar	Lock
Dickson of Nolan	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Dwyer	McAlister
Ellis	McCann
Eubank	McDonald
Favors	McGlasson
Ferguson	McLellan
Files	McMurry
Fitzgerald	McNamara
Gandy	Manford
Garland	Markle
Gilmer	Matthews
Hanna	Mills

Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morse	Smith of Atascosa
Parker	Spacek
Pevehouse	Stinson
Phillips	Stubbs
Price	Taylor
Rampy	Thornton
Reed of Bowie	Turner
Reed of Dallas	Vale
Ridgeway	Walters
Rhodes	Wattner
Roark	Weatherford
Roberts	White
Sallas	Whitesides
Senterfitt	Williamson
Shell	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

The Speaker then laid Senate Bill No. 166 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen	Chambers
Allison	Clark
Alsup	Cleveland
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Craig
Bean	Crossley
Bell	Crosthwait
Benton	Daniel
Blankenship	Davis
Boone	Deen
Bray	Dickson of Bexar
Brown	Dickson of Nolan
Bundy	Donald
Burkett	Dove
Burnaman	Duckett
Carlton	Dwyer
Carrington	Ellis
Cato	Eubank

Favors	McDonald
Ferguson	McGlasson
Files	McLellan
Fitzgerald	McMurry
Gandy	McNamara
Garland	Manford
Gilmer	Markle
Hanna	Matthews
Hardeman	Mills
Hargis	Montgomery
Harris of Dallas	Moore
Harris of Hill	Morgan
Hartzog	Morse
Heflin	Parker
Helpinstill	Pevehouse
Henderson	Phillips
Hileman	Price
Hobbs	Rampy
Howard	Reed of Bowie
Howington	Reed of Dallas
Hoyo	Ridgeway
Huddleston	Rhodes
Hughes	Roark
Humphrey	Roberts
Hutchinson	Sallas
Isaacks	Senterfitt
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Bastrop
Kinard	Smith of Atascosa
King	Spacek
Klingeman	Stinson
Knight	Stubbs
Lansberry	Taylor
Lehman	Thornton
Leyendecker	Turner
Little	Vale
Lock	Walters
Love	Wattner
Lowry	Weatherford
Lucas	White
Lyle	Whitesides
McAlister	Williamson
McCann	Winfree

Absent

Brawner	Manning
Bridgers	Morris
Bruhl	Murray
Celaya	Pace
Coker	Sharpe
Fuchs	Spangler
Goodman	Stanford
Halsey	Voigt
Huffman	

Absent—Excused

Bullock	Martin
Evans	Nicholson

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 471

Mr. Lehman submitted the following Conference Committee report on Senate Bill No. 471:

June 26, 1941.

Honorable Coke R. Stevenson, President of the Senate;

Honorable Homer L. Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and the Senate on Senate Bill No. 471,

Have had the same under consideration and beg to report back with the recommendation that it do pass in the form hereto attached.

Respectfully submitted,

LANNING,
FORMBY,
LOVELADY.

On the part of the Senate.

LEHMAN,
TURNER,
COLSON, MRS.
STANFORD.

On the part of the House.

By Senator Lanning:

S. B. No. 471,

A BILL

To Be Entitled

An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claims shall be paid from the funds hereby appropriated the same shall have the approval of the State Comptroller and the Attorney General; and provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the

same are hereby appropriated to be paid out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated to pay miscellaneous claims against the State of Texas as herein enumerated:

Subsection A. There is hereby appropriated out of the General Revenue Fund the following amounts:

To pay Allison's Drug Store, Wichita Falls, Texas, Warrant No. 197768, dated August 31, 1934, on which payment is prohibited by the Statute of Limitation	\$ 20.56
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To pay Archaeological Institute of America, Warrant No. 165399, dated June 27, 1935, on which payment is prohibited by the Statute of Limitation	107.39
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To pay W. T. Ballard, Warrant No. 171300, dated June 24, 1936, on which payment is prohibited by the Statute of Limitation	6.52
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To pay Bemis Brothers Bag Company, St. Louis, Mo., overpayment of filing permit fee to do business in the State of Texas from year 1927 to 1937	2,220.00
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To pay M. E. Lovett in settlement of State ad valorem taxes paid on exempt homestead	26.01
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To pay Capt. H. H. Ramsey, Regimental Headquarters, 132d Field Artillery, 36th Division, Camp Bowie, Texas, for a National Guard Army Band, Warrant No. 72093, dated December 31, 1937, and previously issued to Washington Biard, who has turned the Warrant over to Capt. Ramsey, on which payment is prohibited by the Statute of Limitation	16.00
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To pay George P. Blackburn, District Attorney,	
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Paris, Texas, Treasury Warrant No. 34804, dated December 31, 1923, on which payment is prohibited by the Statute of Limitation	41.66	To pay Lane Finley, Warrant No. 12022, dated September 30, 1931, on which payment is prohibited by the Statute of Limitation	16.50
To pay Capital National Bank, Austin, Texas, Comptroller's Deficiency Certificate No. 21816, dated December 11, 1930, issued in full payment of all claims by the J. T. Carlisle Estate	7,912.10	To pay Mrs. Hannah Margaret Flood, 2314 Strand Street, Galveston, Texas, refund of overpayment of State Inheritance Tax	12.50
To pay S. A. Castleberry, Vernon, Texas, Treasury Warrant No. 21842, dated January 18, 1935, formerly issued to J. C. Christopher but now owned and held by claimant, on which payment is prohibited by the Statute of Limitation	100.00	To pay General Beverage Distributors, Inc., Warrant No. 13318, dated December 4, 1934, on which payment is prohibited by the Statute of Limitation	82.13
To pay C. O. Co. K., 144th Inf., Winnsboro, Warrant No. 115193, dated March 31, 1934, on which payment is prohibited by the Statute of Limitation	7.50	To pay Dave Gill and Andres Galindo, Warrant No. 186527, dated August 3, 1934, on which payment is prohibited by the Statute of Limitation	17.60
To pay Dr. Frederick Eby, University Station, Austin, Texas, Warrant No. 70279, dated March 3, 1932, payee, Miriam Dozier, on which payment is prohibited by the Statute of Limitation	200.00	To pay Cleto Gomez, Warrant No. 93699, dated February 4, 1937, on which payment is prohibited by the Statute of Limitation	7.52
To pay Eagle-Picher Sales Company, White Warrant No. 164649, dated June 14, 1936, for the sum of \$1.18; Green Warrant No. 158553, dated March 30, 1936, for the sum of \$46.80	47.98	To pay Frank Hamer for his services in the capture of Clyde Barrow on May 23, 1934, the amount of money which was necessary for him to pay out in order to accomplish the task assigned to him by the Manager of the Prison System in Texas	1,075.00
To pay E. E. Ellis, Jacksboro, Texas, for overpayment of property taxes in the year 1937	12.25	To pay T. J. Holbrook, rent for one month during the spring of 1939 for premises rented by the Board of Control at 1308 Congress Avenue, Austin, Texas	50.00
To pay C. G. Engledow for services rendered as Special District Attorney in the District Court of Camp County, Texas, State of Texas vs. John A. Cook	100.00	To pay the Ideal Baking Company of Paris, Texas, for overpayment of taxes on property in the year 1939 due to an error in the Tax Collector's office in Lamar County, Texas	15.40
		To pay W. O. Jenkins, Warrant No. 156477, dated May 29, 1936, for the sum of \$112.50;	

Warrant No. 163686, dated June 10, 1936, for the sum of \$37.33; Warrant No. 140420, dated April 30, 1936, for the sum of \$112.50; on which payments are prohibited by the Statute of Limitation-----	262.33	franchise tax paid to the Secretary of State for the year 1940-41, by reason of the dissolution of said corporation prior to the effective date of such tax----	138.00
To pay LaSalle County Department of Education, Warrant No. 112056, dated March 19, 1934, on which payment is prohibited by the Statute of Limitation-----	10.00	To pay The Steck Company, Austin, Texas, for the use of 39,603,-690 cigarette stamps by the State Board of Control-----	4,732.64
To pay W. P. Laughter, Warrant No. 116512, dated March 26, 1934, for the sum of \$47.54; Warrant No. 133402, dated April 30, 1934, for the sum of \$200.00; on which payments are prohibited by the Statute of Limitation-----	247.54	To pay A. N. Steinle, Warrant No. 165280, dated June 15, 1936, on which payment is prohibited by the Statute of Limitation-----	15.00
To pay Lyford Public School, Warrant No. 180856, dated August 1, 1935, for the sum of \$35.16; Warrant No. 173197, dated July 13, 1934, for the sum of \$90.63, on which payment is prohibited by the Statute of Limitation-----	125.79	To pay Magnolia W. Sealy Estate refund of inheritance taxes-----	296.56
To pay Claude Melton, Gasoline Refund Warrant No. 110972, dated May 4, 1938, on which payment is prohibited by the Statute of Limitation-----	30.68	To pay Western Gas, Warrant No. 139723, dated May 7, 1935, on which payment is prohibited by the Statute of Limitation-----	5.25
To pay B. N. Richards, Dalhart, Texas, for services as Special District Attorney at the May term, 1940, of the District Court for Dal-lam County for 13 days at \$10.95 per day-----	142.35	To pay M. F. Yount Estate overpayment of inheritance tax-----	2,880.00
To pay Santa Margarita Public Schools, Warrant No. 180881, dated August 1, 1935, on which payment is prohibited by the Statute of Limitation-----	84.38	To pay Allen Hardware Company, Hearne, Texas, refund for permit----	5.00
To pay Southern Commercial Corporation for		To pay Acme Cement Plaster Company, for refund of franchise taxes illegally collected-----	5,150.00
		To pay A. Harris & Company, Warrant No. 185463 on which payment was prohibited by Statute of Limitation-----	9.25
		To pay American United Life Insurance Company, Indianapolis, Indiana, for refund of occupation taxes erroneously collected-----	390.00
		To pay American Credit Indemnity Company, New York, New York, for refund of occupation taxes erroneously collected-----	69.62
		To pay The American Soda Fountain Company, for refund of franchise taxes erroneously collected-----	5,145.00
		To pay Arnold, J. W., Leonard, Texas, for re-	

fund on Old-Age Assistance warrant erroneously cancelled	18.00	by Statute of Limitation	2.40
To pay Aetna Life Insurance Company, Hartford, Connecticut, for refund of occupation taxes erroneously collected	16,473.21	To pay Citizens National Bank, Cameron, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of by Limitation	377.38
To pay Auto Spring and Supply Company, Wichita Falls, Texas, for refund of Chain Store Taxes erroneously collected	121.33	To pay Connecticut Mutual Life Insurance Company, Hartford, Connecticut, for refund of taxes erroneously collected	1,856.80
To pay Brown, J. J., Crowell, Texas, for refund of Land Taxes erroneously collected	46.24	To pay Consuelo Madrigas de Pena, Mrs., Alice, Texas, for refund of bonus and rentals erroneously collected	1,344.00
To pay J. H. Beal, Warrant No. 166438 on which payment was prohibited by Statute of Limitation	8.40	To pay Cleveland Compress and Cotton Company, Houston, Texas, for refund of Occupation Tax erroneously collected	37.50
To pay Brooks System Sandwich Shop, Houston, Texas, for refund of Chain Store Taxes erroneously collected	397.17	To pay Capitol Life Insurance Company, Denver, Colorado, for refund of taxes erroneously paid	2,556.66
To pay Boyd, Mrs. W. R., Teague, Texas, for payment of Warrant No. 109773, on which payment was prohibited by Statute of Limitation	416.66	To pay Cox, Thomas W., et al., Tyler, Texas, for refund of Inheritance Tax erroneously collected	3,078.35
To pay Bradley, Leonard, et al., c/o J. L. Richardson, 3904 Dickinson Avenue, Dallas, Texas, in payment of judgment rendered in Cause No. 830, County Court of Jack County, Texas	3,847.95	To pay C. Jim Stewart & Stevenson, Houston, Texas, payment of goods furnished prison system	34.69
To pay Brown, Carrol, San Antonio, Texas, for refund of Land Taxes erroneously collected	195.94	To pay Central Engineering and Supply Company, Dallas, Texas, for Warrant No. 58282, on which payment was prohibited by Statute of Limitation80
To pay Brenham Furniture Company, Brenham, Texas, for refund on permit from Health Department	10.00	To pay Cliff Towers Corporation, Dallas, Texas, for refund on Beer and Wine Permit	25.00
To pay Blocker, Emma Lou, New Boston, Texas, for payment of service in collection of Delinquent Taxes	3,371.53	To pay City State Bank and Trust Company, McAllen, Texas, for payment of Warrant No. 13210 on which payment was prohibited by Statute of Limitation	7.50
To pay Rabsons Reports, Inc., Wellesley Hills, Massachusetts, Warrant No. 147558 on which payment was prohibited		To pay Casualty Reciprocal Exchange, Kansas City, Missouri, for re-	

fund of taxes erroneously collected -----	1,564.01	hibited by Statute of Limitation -----	74.41
To pay Denman, J. R., Brownwood, Texas, in payment for witness fee in the case of the State of Texas versus E. E. Ray, Cause No. 1968 ----	7.00	To pay First State Bank, Gladewater, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation -----	29.01
To pay Douglas, E. L., Sherman, Texas, for refund of taxes erroneously collected -----	15.53	To pay Frazier, Mrs. John, Wichita Falls, Texas, in payment of Unemployment Compensation Warrant No. 540128 on which payment was prohibited by Statute of Limitation ----	5.15
To pay Eckhardt Physician and Surgery Company, Austin, Texas, for payment of General Revenue Warrants, No. 5823 and No. 97942, on which payment was prohibited by Statute of Limitation -----	20.25	To pay First National Bank, Breckenridge, Texas, for check given by Secretary of State, No. 21024, dated 7-27-29 -----	2.32
To pay Elliott Printing Company, Austin, Texas, for printing and supplies furnished to State Board of Dental Examiners -----	53.24	To pay First National Bank, Midlothian, Texas, in payment of General Revenue Warrants Nos. 209868 and 116266 on which payment was prohibited by Statute of Limitation ----	87.90
To pay Eckhardt Gin Company, Yorktown, Texas, for refund of Chain Store Tax erroneously collected -----	24.50	To pay Ft. Worth Well Machinery and Supply Company, Inc., Ft. Worth, Texas, in payment of General Revenue Warrant No. 68954 on which payment was prohibited by Statute of Limitation -----	7.24
To pay Fwing W. K., Company Inc., San Antonio, Texas, for refund of taxes erroneously collected -----	32.10	To pay Ferrel, J. M., Memphis, Texas, for refund of Ad Valorem Taxes erroneously collected -----	11.83
To pay First State Bank, Overton, Texas, in payment of Deficiency Warrants, No. 566, dated July 30, 1938, and No. 517, dated June 30, 1938 -----	350.00	To pay First National Bank, Odessa, Texas, in payment of Unemployment Compensation Warrant No. 493280, on which payment was prohibited by Statute of Limitation -----	7.70
To pay Foy, Frankie E., McAllen, Texas, in payment of Unemployment Compensation Warrants -----	84.17	To pay Goolesbee Mercantile Company, Warren, Texas, in payment of General Revenue Warrant No. 163211, on which payment was prohibited by Statute of Limitation -----	100.00
To pay Falls County, Texas, in payment of royalty interest on public school land -----	1,094.67		
To pay First National Bank, Childress, Texas, refund for Breeding Fee -----	7.50		
To pay First National Bank, Temple, Texas, in payment of General Revenue Warrants on which payment was pro-			

To pay Graham, Thomas, Jr., Del Rio, Texas, for refund of Occupation Taxes erroneously collected	77.22	To pay Haden, W. T., Mereta, Texas, refund for Breeding Fee	7.50
To pay Galveston County, Texas, in payment of General Revenue Warrants Nos. 155275 and 155276, on which payment was prohibited by Statute of Limitation	204.40	To pay Houston Lighting & Power Company, Galveston, Texas, in payment for service rendered Court of Civil Appeals, Galveston, Texas	36.15
To pay Gaynor, W. H., Abilene, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation	135.00	To pay Hatchcock, A. L., Palestine, Texas, for payment of General Revenue Warrant No. No. 33886, on which payment was prohibited by Statute of Limitation	35.00
To pay Gatour, Jim, Austin, Texas, for refund on package store permit	175.00	To pay Ingram, Grady, Groverton, Texas, for recording fees in District Clerk's Office	66.50
To pay Gibson Garage and Machine Company, Bryan, Texas, in payment of General Revenue Warrant No. 18680, on which payment was prohibited by Statute of Limitation	1.50	To pay Ice Service Company, Wichita Falls, Texas, for refund of chain store taxes erroneously collected	253.52
To pay Gonzales State Bank, Gonzales, Texas, in payment of Unemployment Compensation Warrant, on which payment was prohibited by Statute of Limitation	7.00	To pay Imperial Sugar Company, Sugarland, Texas, for refund of taxes erroneously collected	1,583.50
To pay First National Bank, Honey Grove, Texas, in payment of General Revenue Warrant, on which payment was prohibited by Statute of Limitation	4.00	To pay Walter L. Johnson, Galveston, Texas, in payment of witness fee account	8.25
To pay Hamilton, W. S., San Antonio, Texas, in payment of General Revenue Warrant No. 178816, on which payment was prohibited by Statute of Limitation	15.00	To pay Keller, Will E., et al., El Paso, Texas, for refund of inheritance tax erroneously collected	1,857.56
To pay Hartwell Iron Works, Houston, Texas, in payment of General Revenue Warrant No. 151696, on which payment was prohibited by the Statute of Limitation	13.20	To pay the following named persons the amounts appearing opposite their names for services rendered during the month of November, 1940, in the Department of Labor:	
To pay Henry, W. E., Rusk, Texas, refund for Breeding Fee	7.50	Buckner, Eula V., Austin, Texas	90.00
		Perkins, Wislon, Austin, Texas	175.00
		Moffat, Ellen, Austin, Texas	90.00
		Grigsby, Johnnie Bell, Austin, Texas	90.00
		Hutchins, Lois, Austin, Texas	90.00

To pay Keepers, Garbon E., Karnes City, Texas, for payment of General Revenue Warrant No. 170960, on which payment was prohibited by Statute of Limitation—	14.64	To pay Lewis, Clint, Jr., Colorado, Texas, for returning fugitive from the State of Arizona to Burleson County ———	200.50
To pay Karnes City Citation, Karnes City, Texas, for payment of General Revenue Warrant No. 198648, on which payment was prohibited by Statute of Limitation ———	48.35	To pay Maples Funeral Home, Snyder, Texas, refund for Chain Store Tax erroneously collected ———	5.00
To pay Karnes City News, Runge, Texas, for payment of General Revenue Warrant No. 44342, on which payment was prohibited by Statute of Limitation ———	2.00	To pay Marlin Sanatorium Bath House, Inc., Marlin, Texas, for franchise tax erroneously collected ———	74.71
To pay Klein Ice Cream Co., Houston, Texas, refund for chain store tax erroneously collected —	422.09	To pay Metropolitan Life Insurance Co., New York, New York, refund of occupation tax erroneously collected —	7,920.00
To pay Kunkel, A. J., Mereta, Texas, for refund of Breeding Fees—	7.50	To pay Mercury Insurance Co., St. Paul, Minnesota, refund of occupation tax erroneously collected ———	1,381.79
To pay Label, Ben, Denison, Texas, for refund of taxes erroneously collected ———	18.63	To pay Melville Shoe Corporation, Worcester, Mass., refund of overpayment of Chain Store Tax ———	250.50
To pay Lund, William, San Antonio, Texas, General Revenue Warrant No. 73069, on which payment was prohibited by Statute of Limitation ———	25.00	To pay Miller, A. F. Company, Inc., Houston, Texas, for refund of franchise tax erroneously collected ———	10.20
To pay Lemons, Jessie L., Colmesneil, Texas, Unemployment Compensation Warrant No. 308803 ———	2.47	To pay Maintenance Engineering Corp., Houston, Texas, General Revenue Warrant No. 160419, on which payment was prohibited by Statute of Limitation ———	54.56
To pay Lenz, G. A., Cuero, Texas, General Revenue Warrant No. 153962, on which payment was prohibited by Statute of Limitation ———	48.50	To pay Mittendorf, Mrs. Alex, Fredericksburg, Texas, for refund liquor permit ———	37.50
To pay Liga Pacifista Pro Patria, Laredo, Texas, refund for franchise tax erroneously collected—	10.00	To pay Moore, A. F., Kerrville, Texas, General Revenue Warrants on which payments were prohibited by Statute of Limitation ———	67.60
To pay Lewis, Clint, Jr., Colorado, Texas, General Revenue Warrant No. 142665, on which payment was prohibited by Statute of Limitation ———	16.50	To pay Maxwell, Anna, Commerce, Texas, General Revenue Warrant No. 149372, on which payment was prohibited by Statute of Limitation ———	166.72
		To pay Miller, R. W., Huntsville, Texas, General Revenue Warrant No. 122744, on which	

payment was prohibited by Statute of Limitation	110.00	collected by the Labor Department	50.00
To pay New England Mutual Life Insurance Co., Boston, Massachusetts, refund of Occupation Tax erroneously collected	521.13	To pay Reed, Allen, Dallas, Texas, for assisting District Attorney in Dallas County, Texas	100.00
To pay National Band & Tag Co., Newport, Kentucky, General Revenue Warrants Nos. 35330 and 39959, on which payment was prohibited by Statute of Limitation	57.00	To pay Stone Fort National Bank, Nacogdoches, Texas, General Revenue Warrant No. 93984, on which payment was prohibited by Statute of Limitation ..	17.50
To pay Navasota Independent School District, Navasota, Texas, for payment of Special Warrant No. 4738	652.00	To pay Smith, D. G., Dallas, Texas, refund of unexpired portion of Beer and Wine Retail Permit	26.00
To pay Ohio National Insurance Co., Cincinnati, Ohio, refund of occupation tax erroneously collected	1,266.16	To pay Sengelman, Dr. W. A., Houston, Texas, in payment for medical services to inmates of Texas Penitentiary	250.00
To pay Peavy, H. S., Sherman, Texas, for refund of taxes erroneously collected	10.40	To pay Snodgrass, Clifton, Omaha, Texas, refund for Breeding Fees	7.50
To pay Pressler Paint & Wall Paper Co., Austin, Texas, refund of Franchise Tax erroneously collected	10.00	To pay Stone, Ben H., Amarillo, Texas, General Revenue Warrants Nos. 58901 and 28306 on which payment was prohibited by Statute of Limitation	50.00
To pay Southern Bedding Manufacturing Co., Austin, Texas, refund of license fee erroneously collected by the Health Department	1.50	To pay Security State Bank and Trust Co., Beaumont, Texas, General Revenue Warrant on which payment was prohibited by Statute of Limitation	104.00
To pay Ramirez, C. H., Laredo, Texas, for Chain Store Tax erroneously collected	1.50	To pay Smith, W. H., Uvalde, Texas, General Revenue Warrant on which payment was prohibited by Statute of Limitation	36.95
To pay Reinecker, E. E., Bellville, Texas, for expenses incurred in returning a fugitive from justice from Los Angeles, California, to Bellville, Texas	187.70	To pay The Steck Company, Austin, Texas, for printing for the State Board of Dental Examiners	11.78
To pay Ricker, Charles C., Austin, Texas, refund for license fee erroneously collected by the Insurance Department ..	8.00	To pay Schuchler, Charles J., Hondo, Texas, in payment of a reward offered by the Governor, James V. Allred, as Governor of Texas ..	250.00
To pay Royal, Bob, Abilene, Texas, refund for license fee erroneously		To pay Stewart, Elmon D., Llano, Texas, in payment for the return of a fugitive from jus-	

tice from Phoenix, Arizona, to Llano, Texas	254.70	Texas, in payment of General Revenue Warrants Nos. 57904 and 57905, on which payment was prohibited by Statute of Limitation	10.72
To pay Sherryland Public School District, Mission, Texas, for payment of General Revenue Warrant No. 170639, on which payment was prohibited by Statute of Limitation	79.12	To pay Travelers Insurance Company, Hartford, Connecticut, for refund on occupation tax erroneously collected	10,825.14
To pay Southern Lloyds, San Antonio, Texas, in payment of refund from occupation tax erroneously collected	190.96	To pay The Steck Company, Austin, Texas, for printing in the Census Division for the Department of Education	923.41
To pay Southwestern Bell Telephone Company, Austin, Texas, for payment of General Revenue Warrant on which payment was prohibited by Statute of Limitation	734.26	To pay The Schuhmacher Company, Houston, Texas, Unemployment Warrant	8.83
To pay Southwestern Bell Telephone Company, Austin, Texas, for services rendered the Attorney General's Office at Longview, Texas, during the year 1935	284.92	To pay Two States Telephone Co., Texarkana, Texas, for gross receipts tax refund erroneously collected	11,610.10
To pay Southwestern Bell Telephone Company, Austin, Texas, for services rendered the Industrial Accident Board, Austin, Texas, for the year 1939	64.15	To pay The Lincoln Life Insurance Company, Fort Wayne, Ind., for refund of taxes erroneously collected	936.14
To pay The Corpus Christi National Bank, Corpus Christi, Texas, for payment of General Revenue Warrant No. 53084, on which payment was prohibited by Statute of Limitation	8.72	To pay Universal Life Insurance Company, Memphis, Tennessee, refund on license fees collected erroneously by the Insurance Department	849.50
To pay Templin, George H., Austin, Texas, in payment of court cost due in Cause No. 55714, the State of Texas vs. the Texas Income Insurance Company, passing on final judgment in said cause to charge the court cost against the State of Texas	1,016.30	To pay Union Central Life Insurance Company, Cincinnati, Ohio, refund on occupation tax erroneously collected	13,899.64
To pay Texas Cafe, Belton, Texas, refund on chain store tax erroneously collected	4.50	To pay The Virginia Fire & Marine Insurance Company, Dallas, Texas, for refund on occupation tax erroneously collected	23.00
To pay The Lamesa National Bank, Lamesa,		To pay Wells, E. F., Corsicana, Texas, in payment of Warrant No. 27906, prohibited by Statute of Limitation	40.15
		To pay Wilcox, A., Clifton, Texas, for refund of taxes erroneously collected	21.63
		To pay Western Newspaper Union, Delaware, for refund of franchise taxes illegally collected	9,546.00

To pay Norris, W. H., Lumber Company, Houston, Texas, for re- fund on chain store tax erroneously collected.....	25.50	Thompson, J. B., Semi- nole, Texas	36.28
To pay McClurkan & Com- pany, Wichita Falls, Texas, for refund on franchise tax errone- ously collected	30.00	Nield, Daisy C., Tex- homa, Oklahoma	1.26
To pay Williams, W. T., Austin, Texas, for a re- fund of moneys paid in- to the Permanent School Fund to pur- chase two tracts of land which were patented to W. T. Williams, but the patents were sub- sequently revoked	442.44	Wheeler, Alfred, Sum- ner, Texas	1.32
To pay Williams, H. A., Nacogdoches, Texas, Old Age Assistance Warrant No. B-3592, on which payment was prohibited by Statute of Limitation	11.00	Wilson, John W., Co- tulla, Texas	2.71
To pay Dick Isbell in set- tlement of judgment in Cause No. 6471 in the 7th Judicial District of Upshur County, Texas..	1,000.00	Jones & Fly, San An- tonio, Texas	1.00
To pay the following named persons the amounts appearing op- posite their names for refund of excessive fi- nal payments on school lands:		Williams, W. Erskine, Fort Worth, Texas	2.23
Settle, Mrs. J. W., Brownfield, Texas.....\$	3.60	Waldeck, R. J., Cuero, Texas	2.43
Colorado National Farm Loan Assn., Colorado City, Texas	2.15	Beverly, W. C., Mrs., for Estate of Mrs. C. Adair, Palo Duro, Texas	1.39
Elliott, Ross, Brecken- ridge, Texas	4.32	Stieren, L. W., San An- tonio, Texas	56.33
Sun Oil Company, Dal- las, Texas	1.18	Berry, Tom B., Wellin- gton, Texas	4.77
Tomlinson, W. E., Dal- las, Texas	5.04	Carr, John, Big Lake, Texas	4.24
Rape, J. Marvin, Dr., San Angelo, Texas.....	1.51	Clement, Grace, Miss, Wellington, Texas	5.01
Ingram Abstract Com- pany, Wharton, Texas	3.88	Irion, M. R., Dallas, Texas	2.99
Harrison, R. L., Stam- ford, Texas	15.18	Moss, Paul, Odessa, Texas	6.85
Farmer, A. G., Junc- tion, Texas62	Barnes, Cecil H., San Angelo, Texas	1.76
Strake, Geo. W., for Omar R. Strunk, Houston, Texas	3.57	Wilhelm, Fritz, Menard, Texas	25.66
		Duncan, A. B., Abstract Company, Floydada, Texas	38.67
		Hodge, C. T., Admr. for Est. of Leonard Tay- lor, Fort Worth, Tex- as	6.15
		Sanderson N. F. L. A., Sanderson, Texas	3.80
		Jayton N. F. L. A., Jayton, Texas	3.67
		Schreiner, L. A., Kerr- ville, Texas	19.07
		Turkey N. F. L. A., Turkey, Texas	2.50
		Thompson, Charles C., Colorado City, Texas	3.70
		Pampa N. F. L. A., Pampa, Texas	2.71
		Brady N. F. L. A., Brady, Texas	1.02
		Brady N. F. L. A., Brady, Texas	1.25
		Weatherred, W. M., Coleman, Texas	1.00
		Big Bend Abstract Com- pany, Alpine, Texas..	2.08
		Swisher County Ab-	

tract Company, Tulia, Texas -----	4.40	Baldwin, Molly, Mrs., Jefferson, Texas -----	20.39
Swearingen & Miller, San Antonio, Texas ----	8.35	Baldwin, Molly, Mrs., Jefferson, Texas -----	20.39
Federal Land Bank, Houston, Texas -----	367.91	Arkansas-Louisiana Gas Company, Shreveport, Louisiana -----	20.39
To pay the following named persons the amounts appearing op- posite their names for refund of excessive fi- nal payments on Asy- lum land:		Arkansas-Louisiana Gas Company, Shreveport, Louisiana -----	120.09
Jaye, Fred C., De Leon, Texas -----	29.86	Brown, Herman, Austin, Texas -----	100.00
To pay the following named persons the amounts appearing op- posite their names for refund of excessive in- terest payments on school land:		To pay the following named persons t h e amounts appearing op- posite their names for refund of credit existing by reason of cancelled grazing lease:	
Cleveland, W. H., Mar- fa, Texas -----	66.40	Wingfield, W. W., and Sandel, D. W., Lea- key, Texas -----	17.70
Parker, W. D., Kerr- ville, Texas -----	9.36	To pay the following named persons t h e amounts appearing op- posite their names for refund of excessive fees paid into General Reve- nue Fund:	
Proctor, D. C., Fort Worth, Texas -----	38.50	Sieber, E. Hayes, Lub- bock, Texas -----	2.00
Whitworth, W. W., Kerrville, Texas -----	5.85	Brittain, L. H., Fort Worth, Texas -----	2.00
To pay the following named persons the amounts appearing op- posite their names for refund of excessive in- terest payments on asy- lum land:		Chaney & Davis, San Antonio, Texas -----	1.50
Hampton, E. G., Baird, Texas -----	7.67	Clay, Bessie, Byers, Ok- lahoma -----	.50
To pay the following named persons t h e amounts appearing op- posite their names for refund of credits exist- ing by reason of can- celled school land sales:		Collins, Jackson & Snod- grass, San Angelo, Texas -----	6.00
York, R. L., Midland, Texas -----	200.00	First National Bank, Hereford, Texas -----	.50
Erskine, C. H., San An- tonio, Texas -----	26.55	King, Roy H., Wichita Falls, Texas -----	1.75
Ahlers, L. B., et al., Eagle Lake, Texas ----	150.41	Sadd, M. C., San An- tonio, Texas -----	1.00
To pay the following named persons t h e amounts appearing op- posite their names for refund of excessive bo- nus and rental pay- ments:		Snider, L. B., San An- tonio, Texas -----	1.25
		Steinle, Alfred N., Jour- danton, Texas -----	1.25
		Smith & Smith, Fort Worth, Texas -----	1.00
		Albaugh, Ray A., La- mesa, Texas -----	.50
		Cone, Gordon M., Lub- bock, Texas -----	1.00
		Smith, Fielding G., Aus- tin, Texas -----	1.00
		Landreth Production Corporation, F o r t Worth, Texas -----	1.00

Landreth Production Corporation, Fort Worth, Texas	1.00	Miesse, R. S., Los Angeles, California	1.00
Jones, Edgar E., Munday, Texas	1.00	Mackey, J. T., Houston, Texas	.75
Wohlford, Chas. J., San Angelo, Texas	.50	Pearson, Mrs. J. J., Wichita Falls, Texas	.50
Union Central Oil Company, Houston, Texas	.50	Phillips Drilling Company, San Antonio, Texas	1.00
Walston, Cecil, Menard, Texas	3.50	Peiler, Fred, Lampasas, Texas	1.00
Thomas, Noble, Channing, Texas	1.00	Reed, D. C., Austin, Texas	.25
Meeker, J. R., Fort Worth, Texas	3.00	Harvey, Prichett, Houston, Texas	.50
Baten, Thomas J., Beaumont, Texas	.75	Ray, Hilda Blair, Midland, Texas	1.00
Baten, Thomas J., Beaumont, Texas	4.00	Russell & Russell, Baird, Texas	.25
Butts, Mollie J., Shamrock, Texas	1.00	Ritchey & Ritchey, Mineral Wells, Texas	1.25
King, B. D., Wharton, Texas	17.75	Smith, Albert, Houston, Texas	.25
Amarillo Abstract Company, Amarillo, Texas	1.75	Strahan, N. M., Big Spring, Texas	.50
Bowen, Felix, Tulsa, Oklahoma	1.00	Samuels, A. W., Fort Worth, Texas	1.00
Barclay, Lillian, Waco, Texas	.35	Terry County Abstract Company, Brownfield, Texas	.50
Butz, H. H., Fort Stockton, Texas	.50	Webb, G. P., Sherman, Texas	1.25
Cox & Brown, Temple, Texas	1.00	Wright, F. D., Cisco, Texas	1.00
Collins, Bryant M., Corpus Christi, Texas	4.00	Withers, Robert C., Fort Davis, Texas	1.00
Capitol City Abstract Company, Austin, Texas	3.60	Subsection B. There is hereby appropriated out of the Highway Fund the following amounts:	
Dumas, M. E., Plains, Texas	.50	To pay Ackerman, Mrs. J. Albert, San Antonio, Texas, in settlement of a judgment in Cause No. 89527 in the District Court of the 37th Judicial District, Bexar County, Texas	1,827.00
Damon, S. E., Austin, Texas	1.25	To pay Barrett, M. L., Belton, Texas, in payment of judgment entered in Cause No. 22783, District Court of Bell County, Texas	200.00
Gothard, C. C., Hobbs, New Mexico	.50	To pay Burton, Fred M., & Company, Galveston, Texas, for insurance on ferry boats	373.56
Garrett Abstract Company, Cuero, Texas	.50	To pay Bradham Insurance Agency, Brady, Texas, in payment of State Highway Warrant	
Green, O. W., San Angelo, Texas	.50		
Gill, Hugh, Houston, Texas	.75		
Hedberg, H. A., Fort Worth, Texas	1.00		
Haxel, G. G., Alice, Texas	1.00		
Johnson, Tom C., San Marcos, Texas	1.25		
Klingeman, D. O., Karnes City, Texas	.75		
McPherson, A. M., Wichita, Falls, Texas	2.00		

on which payment was prohibited by Statute of Limitation	21.15	gasoline tax exemption certificates filed with the Comptroller of Public Accounts, on which Payment is prohibited by the Statute of Limitation	187.20
To pay Caldwell & Son, Abilene, Texas, for payment of Warrant No. 35479, payment of which was prohibited by Statute of Limitation	81.76	To pay Reeh, Clemens, Fredericksburg, Texas, for payment of Motor Fuel Warrant No. 83419	3.36
To pay Hartmann, J. A., Rockwall, Texas, for payment of Motor Fuel Refund Tax Warrant No. 84527 on which payment was prohibited by Statute of Limitation	7.71	To pay Scott, N. M., Del Rio, Texas, for payment for Motor Fuel Warrant No. 56545	42.36
To pay Janes, T. D., Hillsboro, Texas, in payment of State Highway Warrant No. 113810, payment of which was prohibited by Statute of Limitation	800.00	To pay Texas Bitulithic Co., Tyler, Texas, for payment of Motor Fuel Tax Refund	186.56
To pay Marckwardt, Edwin, San Antonio, Texas, in payment of judgment entered against the State of Texas in the 57th Judicial District Court of Texas	1,250.00	To pay Winkler, J. A., San Antonio, Texas, for payment of Refund on Motor Fuel Tax Warrant No. 66896	10.88
To pay Caledonia Steel Co. in full settlement of judgment in Cause No. 53909 in the 126th District Court of Travis County, Texas	3,250.00	To pay Whatley, W. T., Houston, Texas, for payment of Motor Fuel Warrant No. 176824	12.54
Subsection C. There is hereby appropriated out of the Motor Fuel Tax Fund the following amounts:		To pay Wiley, H. A., Stephenville, Texas, for payment of Motor Fuel Warrant No. 55081	9.89
To pay Carr, James, Encinal, Texas, for Motor Fuel Tax Refund	368.08	To pay Whittliff, A., Galveston, Texas, for payment of Motor Fuel Warrant No. 64076	27.27
To pay Lamb County, Motor Fuel Refund, Precinct No. 4, Warrant No. 59115	117.92	To pay Leslie Neel, Motor Fuel Warrant No. 59850	71.71
To pay Espinosa, J. P., Melvin, Texas, for payment of Motor Fuel Warrant No. 54645, on which payment was prohibited by Statute of Limitation	9.69	To pay Lee Fortenberry, Motor Fuel Refund	38.00
To pay Lavaca County, Texas, for Motor Fuel Tax Refund	56.63	Subsection D. There is hereby appropriated out of the Confederate Pension Warrant Fund the following amounts:	
To pay Montgomery County, Texas, for Motor Fuel Tax Refund	205.36	To pay Brown, Mary Lee, Austin, Texas, Warrant No. 73902, on which payment was prohibited by Statute of Limitation	25.00
To pay Asa E. Ramsay, Jefferson, Texas, for		To pay Broyles, Georgie A., Cherokee, Texas, Warrant No. 11011, on which payment was prohibited by Statute of Limitation	25.00
		To pay Citizens National Bank, Cameron, Texas,	

in payment of Confederate Pension Warrants	150.00	fund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named.	
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	675.00	Sec. 3. That the Comptroller of Public Accounts is hereby authorized and directed to issue a warrant or warrants on the State Treasury in favor of each of the persons, firms, or corporations named herein, in the amounts set opposite their respective names, and shall mail or deliver to each of said persons, firms, or corporations at their said respective addresses, warrant or warrants in payment of said claim or claims, and said persons, firms, or corporations shall duly receipt the Comptroller for said warrant or warrants for payment of said claim or claims.	
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	125.00	Sec. 4. The fact that the claims herein appropriated for are past due, and the persons, firms, and corporations to whom the same are payable are being deprived of the proceeds thereof creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."	
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	225.00	On motion of Mr. Lehman, the report was adopted by the following vote:	
To pay First State Bank, Overton, Texas, in payment of Confederate Pension Warrants	200.00	Yeas—92	
To pay Mrs. Lizzie P. Hughes, Kempner, Texas, Warrant Duplicate No. 1885, dated September 30, 1937, Confederate Widow Pension, on which payment is prohibited by the Statute of Limitation	450.00	Allison	Deen
To pay Parrish, M. C. & Company, Austin, Texas, in payment of Confederate Pension Warrants	25.00	Alsup	Dickson of Bexar
To pay Pennington, Mrs. C. A., Cleburne, Texas, in payment of Confederate Pension Warrant	400.00	Avant	Ellis
To pay Strawn, Lewis P., Mineral Wells, Texas, for refund of money erroneously placed in the Pension Fund by the State Comptroller	125.00	Baker	Eubank
To pay Tate, A. C., Honey Grove, Texas, Confederate Pension Warrant	50.00	Bell	Ferguson
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	225.00	Blankenship	Files
Sec. 2. It is specifically provided herein that before any claim shall be paid from funds hereby appropriated the same shall have the approval of the State Comptroller, and the Attorney General. It is further provided that any claim involving the re-		Brawner	Fitzgerald
		Bridgers	Fuchs
		Brown	Garland
		Bundy	Halsey
		Carlton	Hardeman
		Carrington	Hargis
		Cato	Harris of Dallas
		Celaya	Harris of Hill
		Chambers	Hartzog
		Clark	Heflin
		Cleveland	Helpinstill
		Coker	Henderson
		Colson, Mrs.	Hileman
		Crossley	Howard
		Crosthwait	Hoyo
		Daniel	Huddleston

Hughes	Phillips
Hutchinson	Price
Isaacks	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Ridgeway
Klingeman	Rhodes
Lansberry	Roark
Lehman	Roberts
Little	Sallas
Lock	Senterfitt
Lowry	Shell
Lyle	Smith of Bastrop
McAlister	Smith of Atascosa
McDonald	Spacek
McLellan	Stanford
McMurry	Stinson
Manford	Stubbs
Markle	Thornton
Matthews	Turner
Montgomery	Vale
Moore	Walters
Morgan	Weatherford
Morris	White
Morse	Winfree
Pevehouse	

Nays—28

Bailey	Jones
Benton	King
Bray	Knight
Burkett	Love
Burnaman	Lucas
Craig	McCann
Davis	McGlasson
Dickson of Nolan	McNamara
Donald	Parker
Duckett	Rampy
Goodman	Simpson
Hanna	Skiles
Hobbs	Voigt
Howington	Wattner

Absent

Allen	Kinard
Bruhl	Leyendecker
Connelly	Manning
Dove	Mills
Dwyer	Murray
Favors	Pace
Gandy	Sharpe
Gilmer	Spangler
Huffman	Taylor
Humphrey	Whitesides
Kersey	Williamson

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

Mr. Lehman moved to reconsider the vote by which the report was

62—Jour.

adopted, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, July 2, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the 44th Legislature, 3rd Called Session, 1936, page 1993, as amended by Acts of the 45th Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the 47th Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by Congress, etc.; and declaring an emergency." (With amendments.)

Adopted

H. C. R. No. 282, Authorizing the Highway Department to lend certain guard wire.

Adopted conference report on House Bill No. 29 by the following vote: Yeas, 20; nays, 8.

Passed

H. B. No. 1068, A bill to be entitled "An Act to amend Article X of House Bill No. 8, passed by the Regular Session of the 47th Legislature, etc.; and declaring an emergency." (With amendment.)

Adopted conference report on House Bill No. 703 by the following vote: Yeas, 28; nays, 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 86 WITH
SENATE AMENDMENTS

Mr. Walters called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, page 1993, as

amended by Acts of the 45th Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the 46th Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act, providing additional definitions of the term 'employment,' providing for certain exceptions so that the term 'employment' will not include services performed in any calendar quarter by one in the employ of any organization exempt from the payment of income tax under Section 101 of the Internal Revenue Code, providing that the term 'employment' shall not include services performed by an individual as an insurance agent or as an insurance solicitor if such service is performed for remuneration solely by way of commission, providing that, if any portion of this Act shall be declared unconstitutional and invalid, the remainder shall not be affected thereby, and, further, declaring an emergency."

Mr. Walters moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 86:

Messrs. Walters, Lowry, Thornton, Love and Lansberry.

MOTION TO PLACE HOUSE BILL NO. 324 ON SECOND READING

Mr. Davis moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 324, A bill to be entitled "An Act to protect the public health by the regulation of the practice of naturopathy; to create a naturopathic examining board; to adopt rules and regulations; defining the practice of naturopathy; to provide for naturopathic license in con-

formity with the approved definition of naturopathy, for registration and cancellation of license, and for reciprocity; to provide for the enforcement of this Act, and penalties for the violation of this Act; to provide for educational standards; to repeal all laws in conflict with this Act; and declaring an emergency."

The motion was lost.

RELATIVE TO HOUSE BILL NO. 166

Mr. Kinard moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, the Conference Committee report on House Bill No. 166.

The motion was lost.

Mr. Kinard again moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, the Conference Committee report on House Bill No. 166.

The motion was lost by the following vote:

Yeas—81

Avant	Halsey
Bell	Hanna
Benton	Hardeman
Brawner	Harris of Dallas
Bray	Hartzog
Bridgers	Heflin
Brown	Henderson
Carlton	Howard
Carrington	Hoyo
Cato	Huddleston
Celaya	Hughes
Chambers	Humphrey
Clark	Isaacks
Cleveland	Jones
Colson, Mrs.	Kelly
Craig	Kennedy
Crossley	Kinard
Crosthwait	Knight
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lucas
Donald	McAlister
Dove	McMurry
Ellis	Markle
Eubank	Matthews
Ferguson	Mills
Files	Montgomery
Fuchs	Morgan
Goodman	Morris

Morse	Skiles
Murray	Smith of Atascosa
Pevehouse	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Turner
Ridgeway	Voigt
Rhodes	Wattner
Roark	Weatherford
Sallas	White
Shell	Whitesides
Simpson	

Nays—43

Allison	Lowry
Alsup	Lyle
Bailey	McCann
Baker	McDonald
Bundy	McLellan
Burkett	McNamara
Burnaman	Manning
Coker	Moore
Daniel	Parker
Duckett	Phillips
Garland	Price
Gilmer	Rampy
Hargis	Roberts
Harris of Hill	Senterfitt
Helpinstill	Smith of Bastrop
Hileman	Spacek
Hobbs	Stubbs
Howington	Taylor
Hutchinson	Thornton
King	Walters
Klingeman	Winfree
Lansberry	

Present—Not Voting

Lehman

Absent

Allen	Kersey
Blankenship	Leyendecker
Bruhl	McGlasson
Connelly	Manford
Dwyer	Pace
Favors	Sharpe
Fitzgerald	Spangler
Gandy	Vale
Huffman	Williamson

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

HOUSE BILL NO. 1068 WITH
SENATE AMENDMENTS

Mr. Cato called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1068, A bill to be entitled "An Act to amend Article X of House Bill No. 8, passed by the Regular Session of the Forty-seventh Legislature, placing a gross receipts tax upon the retail sales of new radios and placing a stamp tax upon the sale of cosmetics and playing cards; and declaring an emergency."

On motion of Mr. Cato, the House concurred in the Senate amendments by the following vote:

Yeas—120

Allen	Harris of Hill
Allison	Hartzog
Alsup	Heflin
Avant	Helpinstill
Bailey	Henderson
Baker	Hobbs
Bell	Howard
Benton	Howington
Blankenship	Hoyo
Brawner	Huddleston
Bray	Hughes
Bridgers	Humphrey
Brown	Hutchinson
Bundy	Isaacks
Burkett	Jones
Burnaman	Kelly
Carlton	Kennedy
Carrington	Kersey
Cato	Kinard
Celaya	King
Chambers	Klingeman
Clark	Knight
Cleveland	Lansberry
Coker	Lehman
Colson, Mrs.	Little
Connelly	Lock
Crossley	Love
Crothwait	Lowry
Daniel	Lucas
Davis	Lyle
Dickson of Bexar	McAlister
Dickson of Nolan	McDonald
Dove	McGlasson
Duckett	McLellan
Ellis	McMurry
Eubank	McNamara
Ferguson	Manning
Files	Markle
Fitzgerald	Matthews
Fuchs	Mills
Garland	Montgomery
Gilmer	Moore
Goodman	Morgan
Halsey	Morris
Hardeman	Morse
Hargis	Murray
Harris of Dallas	Pace

Parker	Smith of Bastrop
Pevehouse	Smith of Atascosa
Phillips	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Stubbs
Ridgeway	Taylor
Rhodes	Vale
Roberts	Voigt
Sallas	Walters
Senterfitt	Wattner
Shell	Weatherford
Simpson	Whitesides
Skiles	Winfree

Nays—2

Craig	Rampy
-------	-------

Absent

Bruhl	Manford
Deen	Price
Donald	Roark
Dwyer	Sharpe
Favors	Spacek
Gandy	Spangler
Hanna	Thornton
Hileman	Turner
Huffman	White
Leyendecker	Williamson
McCann	

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

MOTION TO PLACE HOUSE BILL NO. 589 ON THIRD READING

Mr. Burnaman moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 589, A bill to be entitled "An Act declaring the floods of Newton County, Texas, to be a public calamity; authorizing a donation and grant to Newton County Flood Control District of the State ad valorem taxes collected in Newton County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provision of this Act shall be held

invalid, the other provisions shall not be affected, and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—60

Alsup	Kinard
Avant	Lock
Baker	Love
Bell	Lowry
Brown	Lucas
Burnaman	Lyle
Carrington	McGlasson
Celaya	McLellan
Chambers	McNamara
Coker	Manford
Daniel	Manning
Dickson of Bexar	Markle
Donald	Montgomery
Dove	Morse
Fitzgerald	Pevehouse
Gilmer	Phillips
Goodman	Rampy
Halsey	Reed of Dallas
Hardeman	Ridgeway
Hargis	Rhodes
Hartzog	Sallas
Heflin	Senterfitt
Helpinstill	Shell
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Stinson
Hoyo	Stubbs
Jones	Taylor
Kelly	Vale
Kersey	Whitesides

Nays—53

Allen	Fuchs
Allison	Garland
Bailey	Harris of Dallas
Blankenship	Harris of Hill
Brawner	Howington
Bray	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Carlton	Isaacks
Clark	Kennedy
Cleveland	Klingeman
Connelly	Knight
Craig	Lansberry
Crossley	Lehman
Crothwait	Little
Davis	McAlister
Dickson of Nolan	McMurry
Duckett	Matthews
Ellis	Mills
Eubank	Moore
Ferguson	Morgan

Morris	Smith of Atascosa
Murray	Stanford
Parker	Voigt
Reed of Bowie	Walters
Roberts	Weatherford
Simpson	

Absent

Benton	Leyendecker
Bridgers	McCann
Bruhl	McDonald
Cato	Pace
Colson, Mrs.	Price
Deen	Roark
Dwyer	Sharpe
Favors	Spacek
Files	Spangler
Gandy	Thornton
Hanna	Turner
Howard	Wattner
Huddleston	White
Huffman	Williamson
King	Winfree

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

**SENATE BILL NO. 489 ON
THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 489, A bill to be entitled "An Act declaring the floods of Jackson County, Texas, to be a public calamity; authorizing a donation and grant to Jackson County Flood Control District of one-half of the State ad valorem taxes collected in Jackson County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Taxes, etc.; and declaring an emergency."

The bill was read third time.

Senate Bill No. 489 failed to pass by the following vote:

Yeas—56

Avant	Colson, Mrs.
Bell	Connelly
Brown	Deen
Burnaman	Dickson of Bexar
Carrington	Donald
Cato	Duckett
Clark	Dwyer

Favors	McLellan
Fitzgerald	McNamara
Fuchs	Manford
Hardeman	Manning
Hargis	Markle
Hartzog	Montgomery
Heflin	Murray
Henderson	Pevehouse
Hobbs	Phillips
Hoyo	Rampy
Huddleston	Sallas
Hutchinson	Shell
Kelly	Skiles
Kersey	Smith of Bastrop
Kinard	Spacek
Lock	Taylor
Lowry	Turner
Lucas	Vale
Lyle	White
McAlister	Whitesides
McGlasson	Winfree

Nays—66

Allen	Isaacks
Allison	Jones
Alsup	Kennedy
Bailey	King
Baker	Klingeman
Blankenship	Knight
Benton	Lansberry
Brawner	Lehman
Bray	Little
Bridgers	Love
Bundy	McCann
Burkett	Matthews
Carlton	Mills
Cleveland	Moore
Craig	Morgan
Crossley	Morris
Crosthwait	Pace
Davis	Parker
Dickson of Nolan	Price
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Ferguson	Ridgeway
Files	Rhodes
Gandy	Roberts
Garland	Senterfitt
Gilmer	Simpson
Hanna	Smith of Atascosa
Harris of Dallas	Stinson
Harris of Hill	Thornton
Helpinstill	Voigt
Hileman	Walters
Howington	Wattner
Hughes	Weatherford

Absent

Bruhl	Daniel
Celaya	Dove
Chambers	Goodman
Coker	Halsey

Howard	Roark
Huffman	Sharpe
Humphrey	Spangler
Leyendecker	Stanford
McDonald	Stubbs
McMurry	Williamson

Absent—Excused

Bean	Martin
Boone	Morse
Bullock	Nicholson
Evans	

Mr. Klingeman moved to reconsider the vote by which Senate Bill No. 489 failed to pass.

Mr. Morris moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows: Yeas, 52; nays, 63.

A verification of the vote was requested.

Mr. Spacek moved to dispense with the verification.

The motion was lost.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—52

Alsup	Gilmer
Bailey	Hanna
Benton	Harris of Dallas
Brawner	Harris of Hill
Bray	Howington
Bridgers	Hoyo
Bundy	Huddleston
Burkett	Hughes
Carlton	Humphrey
Cleveland	Kennedy
Craig	King
Crossley	Knight
Crosthwait	Lansberry
Dickson of Nolan	Lehman
Ellis	Love
Eubank	McNamara
Ferguson	Mills
Files	Moore
Fuchs	Morgan
Gandy	Morris
Garland	Murray

Parker	Smith of Atascosa
Rampy	Stinson
Reed of Bowie	Thornton
Roberts	Voigt
Simpson	Wattner

Nays—61

Allison	Klingeman
Avant	Lock
Brown	Lowry
Burnaman	Lucas
Carrington	McCann
Cato	McDonald
Chambers	McGlasson
Clark	McLellan
Coker	McMurry
Colson, Mrs.	Manford
Connelly	Manning
Daniel	Markle
Davis	Matthews
Deen	Morse
Dickson of Bexar	Pevehouse
Donald	Phillips
Duckett	Price
Dwyer	Ridgeway
Favors	Rhodes
Fitzgerald	Senterfitt
Goodman	Shell
Halsey	Skiles
Hardeman	Smith of Bastrop
Hargis	Spacek
Hartzog	Stubbs
Heflin	Taylor
Helpinstill	Turner
Hileman	White
Hutchinson	Whitesides
Kersey	Winfree
Kinard	

Absent

Allen	Little
Baker	Lyle
Bell	McAlister
Blankenship	Montgomery
Bruhl	Pace
Celaya	Reed of Dallas
Dove	Roark
Henderson	Sallas
Hobbs	Sharpe
Howard	Spangler
Huffman	Stanford
Isaacks	Vale
Jones	Walters
Kelly	Weatherford
Leyendecker	Williamson

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

(Mr. Lock in the Chair.)

The Chair announced that the motion to table the motion to reconsider was lost.

(Pending consideration of the motion to reconsider, Mr. Kinard occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Bell moved to suspend the Rules in order that Mr. Morris's time in addressing the House may be extended.

The vote resulted as follows:

Yeas—75

Allen	Huddleston
Allison	Humphrey
Alsup	Isaacks
Bailey	Jones
Baker	Kelly
Bell	Kennedy
Blankenship	Knight
Brawner	Lansberry
Bray	Lehman
Bridgers	Little
Bundy	Lock
Burkett	Love
Carlton	Lowry
Carrington	Lyle
Celaya	McGlasson
Chambers	McMurry
Cleveland	Montgomery
Colson, Mrs.	Moore
Craig	Morse
Crossley	Murray
Crothwait	Parker
Davis	Pevehouse
Dickson of Bexar	Phillips
Dickson of Nolan	Reed of Dallas
Donald	Roberts
Ellis	Sallas
Eubank	Shell
Ferguson	Skiles
Fitzgerald	Smith of Atascosa
Gilmer	Stanford
Halsey	Stinson
Hardeman	Taylor
Harris of Dallas	Thornton
Hartzog	Turner
Heflin	Voigt
Hobbs	Walters
Howington	Wattner
Hoyo	

Nays—35

Avant Brown

Cato	McLellan
Daniel	McNamara
Dove	Manford
Duckett	Manning
Favors	Markle
Fuchs	Matthews
Garland	Mills
Goodman	Morgan
Hargis	Rampy
Helpinstill	Reed of Bowie
Henderson	Ridgeway
Hughes	Rhodes
Hutchinson	Senterfitt
Kersey	Spacek
King	Weatherford
Klingeman	Whitesides
Lucas	

Present—Not Voting

Smith of Bastrop

Absent

Benton	Leyendecker
Bruhl	McAlister
Burnaman	McCann
Clark	McDonald
Coker	Morris
Connelly	Pace
Deen	Price
Dwyer	Roark
Files	Sharpe
Gandy	Simpson
Hanna	Spangler
Harris of Hill	Stubbs
Hileman	Vale
Howard	White
Huffman	Williamson
Kinard	Winfree

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

Mr. Morris raised a point of order on further consideration of Senate Bill No. 489 at this time, on the ground that the bill violates certain Constitutional provisions.

The Speaker overruled the point of order.

Question: Shall the motion to reconsider prevail?

BILLS AND RESOLUTION SIGNED
BY THE SPEAKER

The Speaker signed, in the pres-

ence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 86, Providing for adjournment sine die.

H. B. No. 1047, "An Act providing for the extension of the primary term of oil, gas or mineral leases heretofore or hereafter issued by the Commissioner of the General Land Office which lease has been, is, or which may hereafter become involved in litigation relating to its validity or to the authority of the Commissioner of the General Land Office to lease the land covered thereby, for a period of five (5) years; providing the terms and conditions upon which such lease may be extended; providing the time for the application for such extension; providing for the exploration and development of lands covered in the lease during the pendency of litigation, unless such exploration and development be enjoined by a court of competent jurisdiction without prejudice to the right of the owner of such lease to recover his reasonable costs of such development and the exploration from the production from lands covered by the lease or from the proceeds of sale of production therefrom in case such litigation is finally adjudicated adversely to the owner of the lease; and declaring an emergency."

S. B. No. 130, "An Act amending Article 183 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the time during which an indictment, information, or complaint has been pending shall not be computed in the period of limitation, etc.; and declaring an emergency."

S. B. No. 127, "An Act amending Articles 777 and 779 of the Code of Criminal Procedure of the State of Texas of 1925, defining certain terms, etc.; and declaring an emergency."

S. B. No. 361, "An Act amending Article 2959, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who

are forty (40%) per cent disabled; and declaring an emergency."

H. B. No. 1088, "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature approved June 8, 1927, to authorize a ninety-nine year lease to be issued to the Town of Aransas Pass leasing Ransom Island and certain waters surrounding same, situated in Nueces County, authorizing the said town to improve or have said area improved for public park purposes and the building of recreational facilities, bathing beaches, wharves, slips and docks, pavilions, clubhouses, habitations, tourist and other cottages, hotels, cafes, stores, filling stations, concessions, bathhouses, channels, causeways, bridges, streets, alleys, utilities and other structures and facilities necessary or desired for the development of the leased area as a place of recreation, amusement and better living, etc.; and declaring an emergency."

S. B. No. 360, "An Act amending Article 2960, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are forty (40%) per cent disabled; and declaring an emergency."

S. B. No. 497, "An Act making sabotage an offense; defining the term sabotage; providing the penalty therefor; providing that the offense of sabotage shall be cumulative with any offense now prohibited by law coming within the term sabotage; and providing the State may elect under which law it will prosecute; providing a period of limitation for the prosecution of the offense of sabotage; providing a savings clause; and declaring an emergency." (With engrossed rider.)

S. B. No. 506, "An Act to amend Section 1 of Chapter 88, page 189, Special Laws, Forty-second Legislature, Regular Session, 1931, as amended by Senate Bill No. 369, Acts of the Regular Session of the Forty-seventh Legislature, 1941 (Article 5138a, Revised Civil Statutes of Texas), to empower and authorize counties having a population of not less than three hundred ninety thousand (390,000), and not more than five hundred thousand (500,000),

according to the last preceding Federal Census, etc.; and declaring an emergency."

ADJOURNMENT

Mr. Reed of Bowie moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Lock moved that the House recess until 3:30 o'clock p. m., today.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows: Yeas, 64; nays, 62.

A verification of the vote was requested.

Mr. Manning moved a call of the House, for the purpose of maintaining a quorum pending consideration of the verification, and the call was not seconded.

Mr. Manford moved to dispense with the verification.

The motion was lost.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—57

Allen	Halsey
Allison	Harris of Dallas
Alsup	Howington
Avant	Hoyo
Bailey	Huddleston
Brawner	Kennedy
Burkett	Knight
Burnaman	Lansberry
Carlton	Lehman
Celaya	Little
Chambers	Love
Cleveland	McAlister
Connelly	McGlasson
Crossley	McMurry
Crosthwait	McNamara
Davis	Matthews
Dickson of Bexar	Mills
Dickson of Nolan	Moore
Ellis	Morgan
Eubank	Morris
Ferguson	Parker
Fitzgerald	Pevehouse
Garland	Reed of Bowie
Gilmer	Reed of Dallas

Rhodes	Voigt
Roberts	Walters
Smith of Atascosa	Wattner
Taylor	Weatherford
Vale	

Nays—55

Baker	Kelly
Bell	Kersey
Bray	Kinard
Bridgers	Klingeman
Bundy	Lock
Carrington	Lucas
Cato	Lyle
Coker	McDonald
Colson, Mrs.	McLellan
Daniel	Manford
Donald	Manning
Dove	Markle
Duckett	Morse
Goodman	Phillips
Hardeman	Rampy
Hargis	Ridgeway
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Spacek
Hughes	Stanford
Humphrey	Stinson
Hutchinson	Stubbs
Isaacks	Whitesides
Jones	

Absent

Benton	Leyendecker
Blankenship	Lowry
Brown	McCann
Bruhl	Montgomery
Clark	Murray
Craig	Pace
Deen	Price
Dwyer	Roark
Favors	Sharpe
Files	Spangler
Fuchs	Thornton
Gandy	Turner
Hanna	White
Howard	Williamson
Huffman	Winfree
King	

Absent—Excused

Bean	Evans
Boone	Martin
Bullock	Nicholson

The Speaker announced that the motion to adjourn prevailed and the

House accordingly, at 2:05 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Highways and Motor Traffic: House Bills, No. 1105.

Privileges, Suffrage and Elections: Senate Bill No. 360 and Senate Bill No. 361.

Appropriations: House Bill No. 1107.

Banks and Banking: Senate Bill No. 166.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 283, Authorizing the Board of Control to execute to the State Highway Department an easement of certain property for highway purposes.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 285, Authorizing the State Highway Department to lend to the Madisonville Independent School District discarded guard wire and other fencing materials.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 284, Granting Mrs. R. E. Benton and Mrs. Edna Line permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1101, A bill to be entitled "An Act making it lawful to hunt wounded wild deer with one dog in the Counties of Liberty and Hardin, Texas, during the open season of each year for a period of five (5) years; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1102, A bill to be entitled "An Act relating to marks and brands of live stock in Fayette County; requiring that each owner of any live stock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect have his mark and brand of such stock recorded at the office of the County Clerk; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from the taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in Fayette County; and further providing that the County Clerk of said County shall publish this Act in some newspaper in general circulation in Fayette County for a period of thirty (30) days; providing for rerecording brands and

marks at end of ten-year period; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1104, A bill to be entitled "An Act to empower any city or town in this State now or hereafter incorporated under the general laws of this State, and not having a special charter, and not having a charter adopted or amended under the home rule provisions of the Constitution and Statutes of this State, having located within or adjacent to or within one mile of the corporate limits thereof a toll bridge between the United States of America and the Republic of Mexico, to acquire such toll bridge, with its rights and franchises and appurtenant properties, by purchase thereof from the owners thereof; to maintain and operate same, fix and collect tolls and charges for the use thereof; to mortgage and encumber same and the revenues thereof; in connection therewith to construct, maintain and operate parks, camps, quarters and accommodations for use and convenience of the public and to police, regulate and control same and fix and collect fees and charges for the use thereof; to accomplish the purposes of the Act to borrow money and accept grants from the United States of America or any agency thereof or from any person or corporation; for the purposes of this Act to issue its negotiable bonds or warrants and secure payment thereof by the mortgage or pledge of the properties acquired and the income and revenues thereof; prescribing details in respect to the issuance of such bonds or warrants; the manner in which and the price for which such bonds or warrants may be sold or exchanged for property; that the provisions of Articles 1111 to 1118, inclusive, and of the Bond and Warrant Law of 1931, and all amendments thereto, shall apply; providing that nothing in this Act shall au-

thorize any such city or town acting in pursuance hereof to levy or collect any taxes or assessments or to pledge the credit of the State; that all bonds or warrants issued pursuant to this Act shall be negotiable instruments, shall be exempted from all State, county, municipal and other taxation under the laws of this State; providing a basis for the tolls, rentals, fees and charges to be fixed and collected for use of such properties; that the provisions of this Act shall be cumulative of existing laws; that if any part of this Act shall be held invalid same shall not affect the validity of any other part thereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1100, A bill to be entitled "An Act making it unlawful to take, kill, pursue, or attempt to take, kill, or pursue, or otherwise molest any deer in Shelby County until November 16, 1946; providing a suitable penalty; repealing conflicting laws; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1098, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 496, Chapter 168, Acts of the Regular Session of the Forty-fourth Legislature, as amended by Section 1 of House Bill No. 153, Chapter 71, Acts of the second called session of the Forty-fifth Legislature, so as to authorize any city of more than ten thousand (10,000) population, according to the last preceding Federal Census, whether incorporated under general or special law, to codify and adopt a code of

civil and criminal ordinances without the necessity of publication; providing for the taking effect of said code upon adoption; providing said code shall have the force and effect of an ordinance regularly enacted; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1105, A bill to be entitled "An Act to correct a typographical error in House Bill No. 351, passed at the Regular Session of the Forty-seventh Legislature by striking out the word "predecessor" in Section 4 and substituting in lieu thereof the word "successor"; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1095, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 286, Inviting Honorable Coke Stevenson and Honorable Homer Leonard to address a Joint Session.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1107, A bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand Dollars (\$50,000), or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the mileage and per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 284, Granting the said Mrs. R. E. Benton and Mrs. Edna Line permission to sue the State.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 282, Authorizing the State Highway Department to lend certain discarded guard wire to the Malakoff Independent School District.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1088, "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature, approved June 8, 1927, to authorize a ninety-nine-year lease to be issued to the Town of Aransas Pass, leasing Ransom Island and certain waters surrounding the same, situated in Nueces County; authorizing the said Town to improve or have said area improved for public park purposes and the building of recreational facilities, bathing beaches, wharves, slips and docks, pavilions, clubhouses, habitations, tourist and other cottages, hotels, cafes, stores, filling stations, concessions, bathhouses, channels, causeways, bridges, streets, alleys, utilities, and other structures and facilities necessary or desired for the development of the leased area as a place of recreation, amusement, and better living; authorizing the reclamation, dredging, and filling of any part of the leased area; authorizing the subdivision of the leased area or any part thereof into lots and blocks by surveys and dedicated maps and plats; authorizing said Town to sublease all or any part or parts of the leased area for any or all of said purposes; validating all subleases heretofore made by said Town of Aransas Pass; providing for the maintenance of said area and for keeping open to the public, free of charge, such portions as may be necessary to constitute a public place for the recreation and enjoyment of the public; providing for the policing of said area; enlarging the area to be leased; preserving to the State all minerals in and under the leased area with the right of access for drilling and mining purposes and reserving the right to sell any and all available shell in the leased area; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1047, "An Act suspending the running of the primary term of any oil, gas, or mineral lease heretofore or hereafter issued by the

Commissioner of the General Land Office which lease has been, is, or which may hereafter become involved in litigation relating to the validity of such lease or to the authority of the Commissioner of the General Land office to lease the land covered thereby and setting at rest all obligations imposed by such leases during the period of such litigation; providing for the commencement of the running of the primary term of such leases for the remainder of the period specified therein after the rendition of final judgment in any such litigation; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, July 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 3, "An Act making a specific appropriation out of the General Revenue Fund of the State of Texas, not otherwise appropriated, to pay a judgment obtained by Trinity Portland Cement Company against the State of Texas pursuant to Resolution granted by the State of Texas to the said Trinity Portland Cement Company, authorizing it to sue the State of Texas for the recovery of filing fees and franchise taxes paid to the Secretary of the State of Texas, which filing fees and franchise taxes the Courts of the State of Texas held to have been illegally collected; and, providing further that the Comptroller of the State of Texas be directed to issue warrant to pay said judgment to the party herein named in payment of the same in the amount specified herein; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

July 2, 1941

House Bill No. 1099.

House Bill No. 857.

House Bill No. 611.

House Bill No. 188.

In Memory of
Mr. Mark C. Evans

Mr. Benton offered the following resolution:

H. S. R. No. 373, In Memory of Mark C. Evans.

Whereas, On the first day of July, 1941, at the age of sixty years, the Almighty God in His superior judgment, which we mortals so little understand, took from our earthly ranks the great soul of Mark C. Evans, brother of our esteemed fellow Member, Roger Q. Evans; and

Whereas, No blaze in our eulogy can burn beside the sunlight of a useful life and the grandest thing, next to the radiance that flows from the Almighty Throne, is the light of a noble and beautiful life, wrapping itself in benediction and protection around a devoted family of twelve children, nine sons and three daughters, and a loyal and beloved wife, and at last finding rest in the arms of our everlasting God; and

Whereas, Mark C. Evans, from the time of his birth, through his long, full life, gave untiringly and unselfishly to the welfare of his family and friends; with pride and sincerity he gave his time, his efforts and material things to the civic and charitable enterprises of his community, his church and his State; and

Whereas, In the passing of this splendid character and gentleman, his community and family have suffered a distinct loss of a faithful man, a true, honorable and loyal citizen and a devoted father; now, therefore, be it

Resolved, That the House of Representatives of the 47th Legislature acknowledge with deep regret the passing of this worthy citizen and extend its sympathy to the bereaved wife and family and to the community where he so long resided; and be it further

Resolved, That a copy of this resolution be spread upon the memorial pages of the House Journal as an expression of respect to this admirable citizen and that the Chief Clerk of the House of Representatives be instructed to send to the members of the family a copy of this resolution under the Seal of the House of Representatives.

BENTON,
DEEN,
MURRAY,
HOWINGTON,
CHAMBERS,
MORGAN.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Dickson of Bexar, Dick-

son of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morris, Morse, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Williamson and Winfree.

On the motion of Mr. Harris of Dallas, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of

Roy Simmons

Mr. Stubbs offered the following resolution:

H. S. R. No. 369, In Memory of Roy Simmons.

Whereas, The House of Representatives has learned with regret of the death of Roy Simmons resulting from an automobile accident in Ennis, Texas, on May 27, 1941; and

Whereas, Mr. Simmons was sixty-five years old, having been born in a log cabin at Cotton Gin, March 10, 1876. He had known a colorful and interesting boyhood, graduating from high school at Mexia at the age of fourteen and later graduated from Austin College where he had won many medals in oratory. On March 27, 1901, he married Miss Kafe Page Mosely of Mexia. He had two sons, Ed Roy, an Assistant Attorney General at Austin, and Franklin Simmons of Dallas and Wortham; and

Whereas, Mr. Simmons was an honored and valuable citizen of Wortham where he was outstanding for his unusual philanthropic activities. He had served as first Mayor of Wortham, as an elder in his church, as chairman of the board of Teague National Bank, and his death is recognized as a distinct loss to his community; now, therefore, be it

Resolved by the House of Representatives, That the Members thereof deeply regret the passing of this public-spirited citizen and extend our sincere sympathy to his bereaved family; and be it further

Resolved, That a copy of this resolution be forwarded, under the Seal of the House of Representatives, to Mrs. Simmons, the devoted and admiring companion and helpmate throughout the years, and to his two sons; and that when the House adjourns today that it do so in silent memory of Mr. Roy Simmons.

STUBBS.

The resolution was read second time and was unanimously adopted by a rising vote.